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**Ronald Birmingham; Bonnie Birmingham; Herbert Betz; Linda Betz,
Plaintiffs-Appellants, v. Mettler-Toledo, Inc., doing business as Toledo Scale
Company, also known as Mettler Instrument Corp., also known as CIBA Geigy, also
known as CIBA-Geigy SA France, also known as CIBA-Geigy AG Swiss, also known
as Reliance Electric Engineering Co., also known as Reliance Electric Company;
Farrel Co., a division of USM Corporation; CIBA-Geigy Corporation,
Defendants-Appellees, Bridgestone/Firestone, Inc., Intervenor Below -- Appellant.**

No. 96-1426SI

UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

1996 U.S. App. LEXIS 30807

November 19, 1996, Submitted

November 27, 1996, Filed

NOTICE: [*1] RULES OF THE EIGHTH CIRCUIT COURT OF APPEALS MAY LIMIT CITATION TO UNPUBLISHED OPINIONS. PLEASE REFER TO THE RULES OF THE UNITED STATES COURT OF APPEALS FOR THIS CIRCUIT.

SUBSEQUENT HISTORY: Reported in Table Case Format at: *103 F.3d 135, 1996 U.S. App. LEXIS 35624.*

PRIOR HISTORY: Appeal from the United States District Court for the Southern District of Iowa.

DISPOSITION: Affirmed.

COUNSEL: For RONALD BIRMINGHAM, BONNIE BIRMINGHAM, Plaintiffs - Appellants: Donald Gilbert Beattie, Edwin W. Skinner, SKINNER & BEATTIE, Altoona, IA.

For HERBERT BETZ, LINDA BETZ, Plaintiffs - Appellants: Donald Gilbert Beattie, SKINNER & BEATTIE, Altoona, IA. Virgil Moore, VIRGIL MOORE LAW OFFICE, Des Moines, IA.

For METTLER-TOLEDO, INC., dba Toledo Scale Company, aka Mettler Instrument Corp., aka CIBA Geigy, aka CIBA-Geigy SA France, aka CIBA-Geigy AG Swiss, aka Reliance Electric Engineering Co., aka Reliance Electric Company, Defendants - Appellees: Mark L. Tripp, BRADSHAW & FOWLER, Des Moines, IA. Thomas L. Davis, Columbus, OH.

For FARREL CO., a division of USM Corporation, Defendants - Appellees: David Lee Phipps, WHITFIELD & EDDY, Des Moines, IA. Robert Murray Ogborn, GELT & FLEISHMAN, Denver, CO.

For CIBA-GEIGY CORPORATION, Defendants - Appellees: Mark L. Tripp, BRADSHAW & FOWLER, Des Moines, IA.

For [*2] BRIDGESTONE/FIRESTONE, INC., Intervenor Below - Appellant: James Lawrence Pray, Ken Andrew Winjum, HAROLDSON & PRAY, Johnston, IA.

JUDGES: Before FAGG and HANSEN, Circuit Judges, and MAGNUSON, * District

* The Honorable Paul A. Magnuson, United States District Judge for the District of Minnesota, sitting by designation.
Judge.

OPINION

PER CURIAM.

The Birmingham, Betz, and Bridgestone/Firestone appellants appeal the district court's order granting summary judgment in this diversity-based products liability action. After de novo review, we conclude that no error of law appears, and we affirm the judgment of the district court for the reasons stated in its order. *See 8th Cir. R. 47B*. We also deny the pending motion for dismissal from the appeal and the related request for sanctions as moot.

Affirmed.