

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-2046

KCI MANAGEMENT CORPORATION; ALEXIS P.
KISTENEFF,

Plaintiffs - Appellants,

versus

POSTERNAK, BLANKSTEIN & LUND, LLP; DAVID M.
SALTIEL; JAMES M. LYLE,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. Patrick Michael Duffy, District
Judge. (CA-03-1633-2)

Argued: May 23, 2006

Decided: June 20, 2006

Before MICHAEL, MOTZ, and SHEDD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

ARGUED: Edward Kriegsmann Pritchard, III, Charleston, South
Carolina, for Appellants. Susan Taylor Wall, PARKER, POE, ADAMS &
BERNSTEIN, L.L.P., Charleston, South Carolina, for Appellees. **ON**
BRIEF: Thomas B. Pritchard, BARNWELL, WHALEY, PATTERSON & HELMS,
L.L.C., Charleston, South Carolina, for Appellants. Krista M.
McGuire, PARKER, POE, ADAMS & BERNSTEIN, L.L.P., Charleston, South
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

In 2003, KCI Management Corporation and Alexis P. Kisteneff (collectively "KCI") filed this action against Posternak, Blankstein & Lund, LLP, and two of its attorneys (collectively "Posternak"), asserting seven causes of action under South Carolina law and a federal RICO cause of action. Posternak moved for summary judgment, arguing that the state-law causes of action are barred by the applicable three-year limitations period and the RICO cause of action is barred by the applicable four-year limitations period. The district court granted the motion, concluding (inter alia) that the undisputed facts establish as a matter of law that KCI was on inquiry notice of its potential causes of action in 1997 and, therefore, its claims are barred by the applicable statutes of limitations. KCI challenges this ruling in this appeal.

We review de novo an award of summary judgment, viewing the facts and inferences drawn therefrom in the light most favorable to the non-moving party. Chawla v. Transamerica Occidental Life Ins. Co., 440 F.3d 639, 644 (4th Cir. 2006). Having reviewed the parties' briefs and the applicable law, and having had the benefit of oral argument, we find that the district court correctly applied the applicable statutes of limitations in this case. Accordingly, we affirm on the reasoning set forth in part II of the district

court's order. See KCI Mgt. Corp. v. Posternak, Blankstein & Lund, LLP, C.A. No. 2:03-1633-23 (D.S.C. Aug. 8, 2005).

AFFIRMED