

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-2280

DISCOVERY LICENSING, INCORPORATED,

Plaintiff - Appellee,

versus

KING'S INTERNATIONAL MULTIMEDIA COMPANY,
LIMITED,

Defendant - Appellant.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Roger W. Titus, District Judge. (8:04-cv-04055-RWT)

Submitted: October 10, 2007

Decided: December 27, 2007

Before WILKINSON and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Philip F. Hudock, Reston, Virginia; James C.T. Hsia, McLean, Virginia, for Appellant. Savalle C. Sims, Ross Q. Panko, ARENT FOX LLP, Washington, DC, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

King's International Multimedia Co., Ltd. ("King's"), appeals the district court's order granting summary judgment and awarding damages and injunctive relief in favor of Discovery Licensing, Inc. ("Discovery"), in this breach of contract action. We have reviewed the parties' briefs and the record on appeal and find no reversible error in the court's decision to grant summary judgment in Discovery's favor. To the extent King's contends that the affidavits submitted by Discovery in support of its summary judgment motion did not comply with Fed. R. Civ. P. 56(e), we find that King's has waived its challenge by failing to file a motion to strike the affidavits in the district court. Jones v. Owens-Corning Fiberglas Corp., 69 F.3d 712, 718 (4th Cir. 1995). We also find no abuse of discretion in the district court's denial of King's' request to extend discovery pursuant to Fed. R. Civ. P. 56(f), see Ingle v. Yelton, 439 F.3d 191, 195 (4th Cir. 2006) (stating standard of review), or in the court's refusal to appoint a special master, see Meeropol v. Meese, 790 F.2d 942, 961 (D.C. Cir. 1986) (stating standard of review).

Accordingly, we affirm for the reasons stated by the district court at the summary judgment hearing held on October 30, 2006, and in its subsequent written order. Discovery Licensing, Inc. v. King's Int'l Multimedia Co., Ltd., No. 8:04-cv-04055-RWT (D. Md. filed Nov. 1, 2006 & entered Nov. 3, 2006). We dispense

with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED