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Knights Franchise Sys Inc v. PCPS Corp

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 09-4450

KNIGHTS FRANCHISE SYSTEMS, INC.

v.

P.C.P.S. CORP., a Mississippi Corporation
doing business as KNIGHTS INN; BHARTI PATEL,
an individual

P.C.P.S. Corp. and Bharti Patel,
Appellants

Appeal from the United States District Court
for the District of New Jersey
(No. 06-cv-5243)
District Judge: Hon. Garrett E. Brown, Jr.

Submitted Pursuant to Third Circuit LAR 34.1(a)
January 24, 2011

Before: McKEE, *Chief Judge*, SMITH, *Circuit Judge*,
and STEARNS,* *District Judge*

(Opinion Filed: March 28, 2011)

OPINION

McKEE, *Chief Judge*.

* Honorable Richard G. Stearns, District Court Judge, United States District Court for the District of Massachusetts, sitting by designation.

P.C.P.S. Corp. and Bharti Patel (collectively “P.C.P.S.”) appeal the district court’s order granting summary judgment to Knights Franchise Systems, Inc. For the reasons that follow, we will affirm.

We have jurisdiction pursuant to 28 U.S.C. § 1291. Because we write primarily for the parties, we need not repeat the facts and procedural history of this case. Moreover, the district court has ably summarized that background. *See Knights Franchise Systems, Inc. v. P.C.P.S. Corp.*, 2009 WL 3526229 (D.N.J. Oct. 21, 2009).

On appeal, P.C.P.S. argues that the district court erred when it awarded summary judgment to Knights on its breach of contract claim and dismissed P.C.P.S.’s counterclaim for breach of contract.

We reject both of P.C.P.S.’s arguments. Judge Brown issued a detailed and thoughtful opinion that carefully and clearly explained his reasons for holding that P.C.P.S., rather than Knights, breached the franchise agreement. *See Knights Franchise Systems, Inc.*, 2009 WL 3526229. We will affirm the district court’s order for the reasons set forth by Judge Brown.