

OCT 21 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

KRISTI L. KAUFMANN (HORN),

Plaintiff - Appellant,

v.

GEICO GENERAL INSURANCE CO.,

Defendant - Appellee.

No. 10-35199

D.C. No. 9:09-cv-00051-JCL

MEMORANDUM*

Appeal from the United States District Court
for the District of Montana
Jeremiah C. Lynch, Magistrate Judge, Presiding
Argued and Submitted October 4, 2010
Seattle, Washington

Before: THOMAS and M. SMITH, Circuit Judges, and EZRA, District Judge.**

After carefully considering the briefs, record, and arguments of counsel, the Court affirms the judgment of the district court for the reasons stated in Magistrate Judge Lynch's well-reasoned opinion of February 1, 2010.

AFFIRMED.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The Honorable David A. Ezra, United States District Judge for the District of Hawaii, sitting by designation.