

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 11-4376

THOMAS P. DAVIS;
BRUCE D. REITMAN;
ANNE COOLIDGE GERKEN;
MARVINA JENKINS

v.

UNUM GROUP, and its Predecessors and Subsidiaries,
including UnumProvident Corporation, Unum Corporation,
Provident Companies, Inc., Provident Life and Accident
Insurance Company, The Paul Revere Life Insurance Company,
The Paul Revere Corporation

Thomas P. Davis,
Appellant

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
(D.C. Civil No. 03-cv-00940)
District Judge: Honorable Jan E. Dubois

Submitted Under Third Circuit LAR 34.1(a)
November 2, 2012

Before: SLOVITER, AMBRO and BARRY, Circuit Judges

(Opinion Filed: November 29, 2012)

OPINION

BARRY, Circuit Judge

Thomas P. Davis had been receiving disability insurance benefits for almost ten years when, in February 2001, those benefits were terminated. He filed suit in February 2003, and thereupon commenced the long and torturous history of this case, even though, in 2004, his employer had reversed itself and agreed to pay Davis all benefits as well as interest and attorney's fees.

That long history now culminates in this appeal. Davis argues that the District Court erred in concluding that he lacked standing to maintain his RICO claim, the only claim before us, and erred in concluding that he had not "pled and proffered" facts sufficient to withstand summary judgment on that claim. (Appellant's Br. at 4). We exercise plenary review over a grant of summary judgment. Albright v. Virtue, 273 F.3d 564, 570 (3d Cir. 2001).

Given that we write primarily for the parties, we need not reprise the long history of this case nor do we find it necessary to detail the various reasons why Davis contends his arguments should prevail and why UNUM Group contends they should not. We have carefully reviewed all of those contentions, the applicable law, and the record of this case. Suffice it to say that, substantially for the reasons set forth in the excellent Opinion of the District Court, we will affirm.