

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-3491

Phillips Development Corporation;
College Heights, LLC,

Appellants,

v.

Conagra, Inc.; Swift-Ekrich, Inc.,
doing business as Butterball
Turkey Company,

Appellees.

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Appeal from the United States
District Court for the Eastern
District of Arkansas.

[UNPUBLISHED]

Submitted: June 28, 2002

Filed: July 24, 2002

Before BOWMAN, BEAM, and BYE, Circuit Judges.

PER CURIAM.

Phillips Development Corporation appeals the district court's¹ grant of summary judgment in favor of Conagra, Inc., and its subsidiary, Swift-Ekrich, Inc. d/b/a Butterball Turkey Company, on Phillips's suit for breach of contract and

¹The Honorable Stephen M. Reasoner, United States District Judge for the Eastern District of Arkansas.

promissory estoppel. Phillips alleges that Conagra and Swift-Ekrich promised to subsidize rent payments for a housing complex Phillips constructed near a Butterball Turkey plant in Huntsville, Arkansas. The district court granted summary judgment after concluding the alleged promises were too indefinite to be enforceable. Having carefully reviewed the record, we conclude the district court's rulings were proper. We thus affirm on the basis of the district court's opinion. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.