

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

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Case No. 04-1069

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

**BRUCE GERSHENSON, as trustee of the)
William Gershenson Trust; WILLIAM)
WILLIAM GERSHENSON TRUST;)
BERNICE GERSHENSON, Co-trustee of the)
Aaron H. Gershenson Trust; IRA J. JAFFE,)
Co-trustee of the Aaron H. Gershenson)
Trust; AARON H. AARON H.)
GERSHENSON TRUST,)**

Plaintiffs-Appellants,)

v.)

UNITED CAPITAL CORPORATION,)

Defendant-Appellee.)

**ON APPEAL FROM THE
UNITED STATES DISTRICT
COURT FOR THE EASTERN
DISTRICT OF MICHIGAN**

BEFORE: BATCHELDER and DAUGHTREY, Circuit Judges; O’KELLEY,* District Judge.

ALICE M. BATCHELDER, Circuit Judge. Plaintiffs-Appellants Bruce Gershenson and other trustees of the William Gershenson Trust (collectively, “the Gershensons”) appeal the district court’s grant of summary judgment to Defendant-Appellee United Capital Corporation in this diversity action raising issues under Michigan state law. Specifically, the Gershensons argue that the district court erred in the following ways: 1) by ruling that the Gershensons did not provide

*The Honorable William C. O’Kelley, United States District Judge for the Northern District of Georgia, sitting by designation.

legally operative notice of their intention to exercise an option to extend the primary lease at issue in this case; 2) by declining to equitably renew the Gershensons' option to extend the primary lease; and 3) by denying the Gershensons' claim of unjust enrichment.

After carefully reviewing the record, the applicable law, the parties' briefs, and counsels' arguments, we are convinced that the district court did not err in its conclusions. As the district court's opinion carefully and correctly sets out the law governing the issues raised, and clearly articulates the reasons underlying its decision, issuance of a full written opinion by this court would serve no useful purpose. Accordingly, for the reasons stated in the district court's opinion, we

AFFIRM.