United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 99-7069 **September Term, 2000**

97cv00034

Filed On: September 21, 2000 [544922]

Margaret L. Clayton and Inga C. Malik,
Appellants

v.

The Landsing Corporation, et al.,
Appellees

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BEFORE: Ginsburg, Sentelle, and Henderson, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. The court has determined that the issues presented occasion no need for an opinion. See Fed. R. App. P. 36; D.C. Cir. Rule 36(b). It is

ORDERED AND ADJUDGED that the district court's judgment, filed April 20, 1999, be affirmed for the reasons stated in the accompanying memorandum.

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

No. 99-7069, Margaret L. Clayton and Inga C. Malik v. The Landsing Corp., et al.

M E M O R A N D U M

The sole issue raised on appeal is whether the district court abused its discretion in declining to vacate the magistrate judge's January 25, 1999 order denying appellants' motion to compel further jurisdictional discovery from the Barr appellees. See Caribbean Broad. Sys., Ltd. v. Cable & Wireless PLC, 148 F.3d 1080, 1089 (D.C. Cir. 1998) (denial of jurisdictional discovery is reviewed for abuse of discretion). We hold it did not.

While appellants were indeed entitled to reasonable jurisdictional discovery, see GTE New Media Servs., Inc. v. Bellsouth Corp., 199 F.3d 1343, 1351-52 (D.C. Cir. 2000); Crane v. Carr, 814 F.2d 758, 760 (D.C. Cir. 1987), the district court and magistrate judge afforded them ample jurisdictional discovery extending from April 1997 to January 1999. The denial of additional discovery was not "clearly unreasonable, arbitrary or fanciful," and thus did not amount to an abuse of discretion. Carey Canada, Inc. v. Columbia Cas. Co., 940 F.2d 1548, 1559 (D.C. Cir. 1991); cf. General Elec. Capital Corp. v. Grossman, 991 F.2d 1376, 1388 (8th Cir. 1993) (no abuse of discretion in precluding additional jurisdictional discovery where defendants had already complied with plaintiffs' extensive discovery requests); Naartex Consulting Group v. Watt, 722 F.2d 779, 788 (D.C. Cir. 1983) (district court did not abuse discretion in denying further jurisdictional discovery when plaintiff had already enjoyed "ample opportunity to take discovery").

Appellants also seek to challenge the district court's determination that it lacked personal jurisdiction over the Barr appellees, and the magistrate judge's denial of a hearing on appellants' August 1998 motion to compel further discovery. But these arguments come too late, as they were raised for the first time in appellants' reply brief.

See, e.g., Grant v. United States Air Force, 197 F.3d 539, 543 (D.C. Cir. 1999); Adams v. Hinchman, 154 F.3d 420, 424 n.7 (D.C. Cir. 1998) (per curiam), cert. denied, 526 U.S. 1158 (1999).