

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 16-4143

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Patricia A. Torre, an individual

*Plaintiff - Appellant*

v.

Northrop Grumman Systems Corp., a Delaware Corporation

*Defendant - Appellee*

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Appeal from United States District Court  
for the District of Nebraska - Omaha

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Submitted: September 7, 2017

Filed: September 12, 2017

[Unpublished]

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Before WOLLMAN, MURPHY, and KELLY, Circuit Judges.

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PER CURIAM.

Patricia Torre appeals the district court's<sup>1</sup> order granting summary judgment in favor of Northrop Grumman Systems Corp. on her claims of a hostile work

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<sup>1</sup>The Honorable Laurie Smith Camp, Chief Judge, United States District Court for the District of Nebraska.

environment and retaliation. Following de novo review of the record, and construing the evidence most favorably to Torre, we agree with the district court that there is no genuine issue of material fact and that Northrop Grumman Systems is entitled to judgment as a matter of law. See Henthorn v. Capitol Commc'ns, Inc., 359 F.3d 1021, 1026 (8th Cir. 2004). Specifically, we agree that Torre's allegations did not rise to the level of an actionable hostile work environment claim, see Blomker v. Jewell, 831 F.3d 1051, 1056 (8th Cir. 2016) (elements of Title VII sexual harassment hostile work environment claim); Father Flanagan's Boys' Home v. Agnew, 590 N.W.2d 688, 693 (Neb. 1999) (Nebraska employment discrimination law patterned after Title VII), and that she did not rebut evidence that Northrop Grumman acted pursuant to its legitimate, non-retaliatory business judgment in eliminating her position, see Hutton v. Maynard, 812 F.3d 679, 684–85 (8th Cir. 2016). The judgment is affirmed. See 8th Cir. R. 47B.

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