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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JAMES SALSMAN,

Plaintiff - Appellant,

v.

ACCESS SYSTEMS AMERICAS, INC.,

Defendant - Appellee,

and

TOMIHISA KAMADA; et al.,

Defendants.

No. 11-16528

D.C. No. 5:10-cv-01865-PSG

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Paul S. Grewal, Magistrate Judge, Presiding**

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3. Accordingly, Salsman's request for publication is denied.

** The parties consented to proceed before a magistrate judge. *See* 28 U.S.C. § 636(c).

Submitted December 19, 2012***

Before: GOODWIN, WALLACE, and FISHER, Circuit Judges.

James Salsman appeals pro se from the district court's summary judgment in his employment action under the Americans with Disabilities Act ("ADA"). We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Universal Health Servs., Inc. v. Thompson*, 363 F.3d 1013, 1019 (9th Cir. 2004). We affirm.

The district court properly granted summary judgment because Salsman failed to raise a genuine dispute of material fact as to whether the release agreement that Salsman signed was valid. *See Stroman v. W. Coast Grocery Co.*, 884 F.2d 458, 462-63 (9th Cir. 1989) (a release of claims is valid if it is voluntary, deliberate, and informed); *see also Pardi v. Kaiser Found. Hosps.*, 389 F.3d 840, 848 (9th Cir. 2004) (upholding settlement agreement releasing ADA claims where plaintiff failed to establish that the agreement was procured by duress or any other basis that would render it invalid).

*** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2). Accordingly, Salsman's request for oral argument is denied.

Salsman's contentions that the district court improperly denied his requests for discovery and to amend the complaint and that he did not receive notice of the summary judgment motion are not supported by the record.

AFFIRMED.