

UNPUBLISHEDUNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 06-2030

BERNARD C. DUSÉ, JR.,

Plaintiff - Appellant,

versus

BARNES & NOBLE, INCORPORATED; JASON SANDERS;
SUSAN SKIRBOLL; EVA LEVINE; MARSHA BROGDON;
COURTNEY MONKHOUSE; ROBERT CRABTREE; ROBERT
KESSLER; STEPHEN RIGGIO; KEITH BROWN,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. Gerald Bruce Lee, District
Judge. (1:05-cv-01508-GBL-LO)

Submitted: December 6, 2006

Decided: January 8, 2007

Before WILLIAMS, KING, and GREGORY, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Bernard C. Dusé, Jr., Appellant Pro Se. Daniel Prywes, Anna C.
Ursano, BRYAN & CAVE, L.L.P., Washington, D.C., for Appellee Barnes
& Noble, Inc.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Bernard C. Dusé, Jr. appeals the district court's order granting summary judgment in favor of Barnes & Noble, Inc. ("Barnes & Noble") on his employment discrimination and retaliation claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e to 2000e-17 (2000), and the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621 to 634 (2000). Dusé alleged that Barnes & Noble unlawfully discriminated against him on the basis of his race, age, and gender, and that he was retaliated against when he complained of the alleged discrimination. Dusé also appeals the district court's order granting Barnes & Noble's motion to strike witnesses not disclosed by Dusé in discovery, claiming, in part, that the testimony of those witnesses would have bolstered his opposition to Barnes & Noble's motion for summary judgment.

We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Dusé v. Barnes & Noble, Inc., No. 1:05-cv-01508-GBL-LO (E.D. Va. Sept. 11, 2006). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED