

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with Fed. R. App. P. 32.1

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

Submitted April 23, 2024\*

Decided April 24, 2024

Before

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

No. 23-2761

WILLIAM SHURES,  
*Plaintiff-Appellant,*

*v.*

AMEREN ILLINOIS COMPANY,  
*Defendant-Appellee.*

Appeal from the United States  
District Court for the Central  
District of Illinois.

No. 20-cv-2264

Colin S. Bruce,  
*Judge.*

ORDER

William Shures contends that his former employer violated the Age Discrimination in Employment Act, 29 U.S.C. §§ 621–34, by firing him when he was 56 years old. The employer replied that Shures, a supervisor in its drafting department, was not organizing his team productively, had developed a negative attitude, and had not improved his performance despite being on performance-improvement plans for several years under different managers. The district court granted summary judgment against

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\* We granted the parties' joint motion to waive oral argument.

Shures after concluding that he had failed to show that the employer's explanation for the discharge was a pretext for discrimination. 2023 U.S. Dist. LEXIS 165388 (C.D. Ill. Aug. 14, 2023).

Shures contends on appeal that, because he denies all of the employer's findings concerning poor performance, a jury trial is required to resolve the dispute. This misunderstands what is necessary to establish pretext. Most fired employees believe that they have unrecognized or underappreciated talents. But it does not matter what the employee believes; the question is what the employer believes. To establish pretext, the plaintiff must show that the employer does not believe its own explanation—that it is lying rather than just making an error. See, e.g., *Petts v. Rockledge Furniture LLC*, 534 F.3d 715, 726 (7th Cir. 2008); *Bragg v. Munster Medical Research Foundation Inc.*, 58 F.4th 265, 271 (7th Cir. 2023).

Substantially for the reasons the district judge gave, we conclude that a reasonable jury could not find that the employer's reasons are fabrications. They may be wrong, as Shures believes, but they are not lies. It is unnecessary to elaborate, so the judgment of the district court is

AFFIRMED.