

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CATHY McCAY-JONES,)
)
 Plaintiff,)
)
 vs.)
)
 UTILITY METER SERVICES,)
 INC.,)
)
 Defendant.)

Civil Action No: CV 09-S-2286-S

ORDER

This case is before the court on defendant’s motion for summary (doc. no. 36). On April 12, 2012, the magistrate judge entered his report and recommendation and the parties were allowed therein fifteen days in which to file objections to the recommendations. No objections have been filed by either the plaintiff or the defendant.

After careful consideration of the record in this case and the magistrate judge’s report and recommendation, the court hereby ADOPTS the report of the magistrate judge and ACCEPTS his recommendations. Accordingly, defendant’s motion for summary judgment is GRANTED IN PART and DENIED IN PART. The motion as to plaintiff’s claims arising from a denial of promotion, hostile work environment/sexual harassment, or constructive discharge are DISMISSED WITH

PREJUDICE. The motion as to the remaining claims of disparate treatment in terms and conditions of employment, discriminatory discharge, and retaliation is DENIED.

It is further ORDERED that this case is set for a Final Pretrial Conference for 10:30 a.m. on July 20, 2012, at the United States Courthouse located at 101 Holmes Avenue in Huntsville, Alabama in accordance with the attached instructions.

DONE and ORDERED this 3rd day of July, 2012.



United States District Judge