

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>PARIS CHESTNUT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 24-00317-KD-B</b>
	)	
<b>WALMART,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

After due and proper consideration of the issues raised, and a de novo determination of those portions of the recommendation to which objection is made, the report and recommendation of the United States Magistrate Judge made under 28 U.S.C. § 636(b)(1) and S.D. Ala. GenLR 72(a)(2)(S) and dated November 1, 2024, (Doc. 16), is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Defendant’s partial motion to dismiss, (Doc. 6), is **granted**. Accordingly:

**Count seven** (ADA discriminatory discharge) is **DISMISSED** for failure to exhaust administrative remedies. **Counts five** (Title VII retaliation) and **nine** (ADA retaliation) are **DISMISSED** for failure to exhaust administrative remedies to the extent they are based on the termination of Chestnut’s employment after she filed her EEOC charge of discrimination.

**DONE and ORDERED** this the **8th** day of **January 2025**.

/s/ Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**