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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Ann Kent,	)	No. CV 09-280-TUC-FRZ (JJM)
Plaintiff,	)	<b>ORDER</b>
vs.	)	
City of Tucson, a municipal corporation of the State of Arizona	)	
Defendant.	)	

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Before the Court for consideration is Defendant City of Tucson’s Motion for Summary Judgment and the Report and Recommendation of the United States Magistrate Judge. This action, based on gender discrimination in the workplace, was referred to Magistrate Judge Jacqueline Marshall for all pretrial proceedings and report and recommendation in accordance with the provisions of 28 U.S.C. § 636(b)(1) and LRCiv 72.1 and LRCiv 72.2 of the Rules of Practice of the United States District Court for the District of Arizona, Local Rules of Civil Procedure.

Following review of the Defendant’s motion, Plaintiff’s response in opposition , and Defendant’s reply, Magistrate Judge Marshall issued her Report and Recommendation on September 26, 2011, recommending that the District Court, after its independent review of the record, grant Defendant City of Tucson’s Motion for Summary Judgment.

The Report and Recommendation provides a thorough discussion of the facts, legal standards and in-depth analysis of the issues presented.

1           The Report and Recommendation advised “the parties shall have fourteen (14) days  
2 from the date of service of a copy of this recommendation within which to file specific  
3 written objections with the District Court. *See* 28 U.S.C. § 636(b)(1) and Rules 72(b), 6(a)  
4 and 6(e) of the Federal Rules of Civil Procedure.”

5           Plaintiff’s Objections to the Report and Recommendations were timely filed on  
6 October 17, 2011, requesting the Court review this matter *de novo* and decline to adopt the  
7 recommendation of the Magistrate Judge, arguing that there is sufficient evidence from  
8 which a reasonable jury might conclude that Plaintiff was indeed the victim of gender-based  
9 discrimination.

10           Defendant filed a response thereto, requesting the Court adopt the Report and  
11 Recommendation and grant the motion for summary judgment.

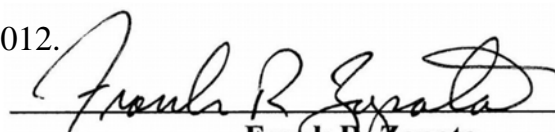
12           The Court finds, after *de novo* review of the matters presented, including the Report  
13 and Recommendation, Defendant City of Tucson’s Motion for Summary Judgment,  
14 Plaintiff’s response in opposition, and Defendant’s reply, in addition to Plaintiff’s objections  
15 to the Report and Recommendation and Defendant’s response thereto, that the findings of  
16 the Magistrate Judge shall be accepted and adopted as the findings of fact and conclusions  
17 of law by this Court.

18           Based on the foregoing,

19           IT IS ORDERED that Magistrate Judge Marshall’s Report and Recommendation  
20 (Doc. 64) is hereby ACCEPTED and ADOPTED as the findings of fact and conclusions of  
21 law by this Court;

22           IT IS FURTHER ORDERED that Defendant City of Tucson’s Motion for Summary  
23 Judgment (Doc. 47) is GRANTED and this action is hereby dismissed; Judgment shall be  
24 entered accordingly.

25  
26           DATED this 28<sup>th</sup> day of March, 2012.

27             
28           Frank R. Zapata  
                  Senior United States District Judge