

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

ROSIE HEGLER

PLAINTIFF

v.

No. 5:10CV00252 JLH

MAINLINE HEALTH SYSTEMS, INC. ;  
and KRIS MORGAN, individually and in her  
official capacity as Director of Nursing

DEFENDANTS

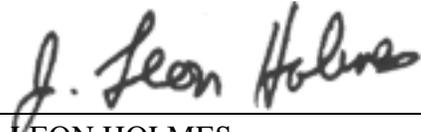
**ORDER**

Rosie Hegler brings this action against Mainline Health Systems, Inc., and Kris Morgan, individually and in her official capacity as Director of Nursing for Mainline Health Systems, Inc., alleging that she was terminated due to her race in violation of Title VII of the Civil Rights Act of 1964. Kris Morgan moved to dismiss the complaint against her on the grounds that a co-worker or a supervisor cannot be held liable under Title VII. The initial complaint alleged that Morgan was Hegler's supervisor and Director of Nursing for Mainline Health Systems, and that she was acting pursuant to and in the course of her employment with Mainline Health Systems at all relevant times. After Morgan filed her motion to dismiss, Hegler filed an amended complaint, alleging that Morgan was acting as an agent for Mainline Health Systems at all pertinent times, in addition to the allegations previously stated. Morgan then renewed her motion to dismiss, and Hegler has not responded.

Morgan correctly points out that the Eighth Circuit has held that supervisors may not be held individually liable under Title VII. *Bonomolo-Hagen v. Clay Central-Everly Community Sch. Dist.*, 121 F.3d 446, 447 (8th Cir. 1997) (citing *Spencer v. Ripley County State Bank*, 123 F.3d 690, 691-92 (8th Cir. 1997)).

The motion to dismiss filed by Kris Morgan is granted. Documents #2 and #11. Rosie Hegler's claims against Kris Morgan are dismissed with prejudice.

IT IS SO ORDERED this 14th day of March, 2011.

A handwritten signature in black ink that reads "J. Leon Holmes". The signature is written in a cursive style with a horizontal line underneath it.

J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE