

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

JUANETTE ROBERTS

PLAINTIFF

v.

No. 5:13-cv-305-DPM

CRESTPARK STUTTGART, LLC; STUTTGART
VISION CLINIC; GEORGE M. DUNN, JR., ODP; A;
CHERYL CONNALLY; and MISTY COX

DEFENDANTS

ORDER

Roberts's motion for reconsideration, *No. 61*, is denied. Her points about retaliation and constructive discharge are re-argument; the Court has already addressed them. On discrimination, the Court doesn't see a hearsay problem. What Roberts said S.C. said would be hearsay, FED. R. EVID. 801(c), which cannot be considered. The Court noted and considered Oliver's affidavit. *No. 59 at 6*. The Court relied on Cox's conclusion after her investigation of S.C.'s conduct, not on the resident's exact words. The Court stands by its decision that S.C. is not a valid comparator and that there is no jury issue on pretext.

So Ordered.



D.P. Marshall Jr.
United States District Judge

16 June 2015