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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FABIENNE OUAPAOU-LENA,

Plaintiff,

v.

GREENFIELD CARE CENTER OF
FAIRFIELD, EVA CARE GROUP, LLC,
DOES 1 - 50 INCLUSIVE,

Defendants.

Case No. 2:15-cv-00721-JAM-DB

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT
OR, IN THE ALTERNATIVE, SUMMARY
ADJUDICATION**

1 Defendants Greenfield Care Center of Fairfield and EvaCare Group, LLC's
2 ("Defendants") Motion for Summary Judgment or, in the alternative, Motion for Summary
3 Adjudication ("Motion") (Docket No. 18), came on for hearing before the Honorable John A.
4 Mendez in this court on January 24, 2014. The court reporter's transcript of that hearing, which
5 contains the parties' oral argument and the Court's ruling, is incorporated herein by reference.
6 Plaintiff Fabienne Ouapou-Lena ("Plaintiff") appeared through her counsel, Samuel Rudolph.
7 Defendants appeared through their counsel, John H. Adams, Jr. Having carefully considered the
8 moving and opposition papers, the arguments of counsel and relevant legal authority, and good cause
9 appearing, IT IS HEREBY ORDERED that Defendants' Motion is GRANTED in part and DENIED
10 in part. Defendants' Motion is GRANTED as to Plaintiff's causes of action for: Race Discrimination
11 in Violation of 42 U.S.C. § 2000e et. seq.; Wrongful Termination – Breach of Implied Contract of
12 Continued Employment; Breach of Implied Covenant of Good Faith and Fair Dealing; Wrongful
13 Termination in Violation of Public Policy; and Unfair, Unlawful, Deceptive Business Practices in
14 Violation of Business and Professions Code § 17200 et. seq., because Plaintiff failed to submit
15 sufficient evidence to show a genuine issue of material fact as to any of these causes of action. The
16 Motion is DENIED as to Plaintiff's cause of action for Defamation – Slander because Plaintiff has
17 submitted sufficient evidence to show a genuine issue of material fact as this cause of action.

18 IT IS SO ORDERED.

19 Dated: 2/2/2017

/s/ John A. Mendez
HON. JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE

1 Approved as to form.

2 Dated: January 31, 2017

SAMUEL RUDOLPH & ASSOCIATES

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/s/ Samuel Rudolph (authorized on January 31, 2017)

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SAMUEL RUDOLPH

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KIMBERLY CARVER

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Attorneys for Plaintiff

FABIENNE OUAPOU-LENA

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Dated: January 31, 2017

/s/ John H. Adams, Jr.

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LINDBERGH PORTER

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BARBARA A. BLACKBURN

JOHN H. ADAMS, JR.

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LITTLER MENDELSON, P.C.

Attorneys for Defendants

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GREENFIELD CARE CENTER OF FAIRFIELD

AND EVA CARE GROUP, LLC

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