

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION IN LAFAYETTE

KEVIN OSBORN,	)	
	)	
Plaintiff	)	
	)	
v.	)	CIVIL NO. 4:12-CV-67 RM
	)	
CINTEMP, INC., d/b/a CTI PERSONNEL	)	
	)	
Defendant	)	

OPINION and ORDER

On February 19, 2014, the court conducted a hearing on the defendant's summary judgment motion. The court opened the hearing by outlining its tentative view that the motion should be denied and why. The parties' oral argument demonstrated that the court's tentative view was based on a misunderstanding about when Ms. McBride provided Mr. Osborn with the letter explaining his asserted termination. The court reserved ruling to allow consideration of the corrected understanding of the facts of record.

The court still believes genuine issues of material fact exist with respect to Ms. McBride's apparent authority to terminate Mr. Osborn's employment. Setting aside the letter (since it wasn't produced until a week later, it tells us nothing about what Ms. McBride's authority appeared to be on September 19), it remains that CTI gave Ms. McBride the title of "staffing specialist." A reasonable juror could find it reasonable to think that "staffing" authority includes the authority to hire, and (since CTI provided temporary employees to businesses like Subaru) to fit its temps to the business's needs. From that, a juror could find reasonable

a belief that a “staffing specialist” could terminate the employment of a temp who no longer fit the business’s needs.

Accordingly, the court DENIES the defendant’s motion for summary judgment [Doc. No. 20].

SO ORDERED.

ENTERED: February 20, 2014

/s/ Robert L. Miller, Jr.  
Judge  
United States District Court