

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CIVIL ACTION NO. 3:11-CV-199-H

SHARON R. HEATH

PLAINTIFF

V.

BULLITT COUNTY BOARD OF EDUCATION
and
BULLITT COUNTY DETENTION CENTER AND
ADULT LEARNING CENTER

DEFENDANTS

MEMORANDUM OPINION AND ORDER

On May 18, 2012, the Court held a conference with Plaintiff and counsel for the remaining Defendant, Bullitt County Board of Education. The parties and the Court thoroughly discussed the remaining claim.

In February 21, 2012, the Court dismissed Plaintiff's age and gender discrimination claims as barred by the statute of limitations. That decision turned on the facts of that first EEOC complaint which was dismissed January 11, 2011, and that Plaintiff did not file her federal complaint until August 1, 2011. As it turns out, that first EEOC complaint also contained Plaintiff's only reference to her sexual harassment claim. Therefore, the sexual harassment is barred based upon the same statute of limitation grounds analysis.

At the conference, Plaintiff explained that employees of the Bullitt County Detention Center were responsible for the harassment alleged in the complaint. Plaintiff was an employee of the Board of Education. It cannot be held responsible for alleged sexual harassment perpetrated by a third party.

For all of these reasons, the Court concludes that Plaintiff has no grounds to pursue a

viable sexual harassment claim against the Board of Education.

Being otherwise sufficiently advised,

IT IS HEREBY ORDERED that Plaintiff's remaining causes of action are DISMISSED
WITH PREJUDICE.

This is a final order.

cc: Sharon R. Heath, *Pro Se*
Counsel of Record