

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

BARBARA LYNCH

CIVIL ACTION

VERSUS

NO. 19-13200

**FLUOR FEDERAL PETROLEUM OPERATIONS,
LLC, et al.**

SECTION: "G"

ORDER AND REASONS

In this litigation, Plaintiff Barbara Lynch ("Lynch") alleges that she experienced harassment and discrimination while employed by Fluor Federal Petroleum Operations, LLC ("FFPO"), which Lynch alleges ultimately resulted in the wrongful termination of her employment on July 31, 2019.¹ Before the Court is FFPO's "Motion for Partial Summary Judgment Seeking Dismissal of Plaintiff Barbara Lynch's Wrongful Termination Claim."² In the motion, FFPO seeks dismissal of Lynch's claim that her termination violated the Louisiana Employment Discrimination Law ("LEDL").³ Lynch has not filed an opposition to the motion. Having considered the motion, the memoranda in support and in opposition, the record, and the applicable law, the Court grants the motion.

In the Amended Complaint, Lynch brings the following claims against FFPO: (i) sexual harassment; (ii) race discrimination; (iii) age discrimination and retaliation; and (iv) wrongful

¹ Rec. Docs. 1, 6.

² Rec. Doc. 236.

³ *Id.* at 1.

termination.⁴ On September 23, 2021, this Court granted FFPO’s motion for partial summary judgment dismissing Lynch’s claim for wrongful termination under Title VII, her claim for age discrimination under the ADEA, and her request for damages for physical injuries under Title VII.⁵

On October 19, 2021, FFPO filed the instant motion for partial summary judgment.⁶ The submission date for the motion was November 3, 2021. Pursuant to Local Rule 7.5, any opposition to the motion was due eight days before the noticed submission date. Lynch has not filed an opposition to the instant motion and therefore the motion is deemed unopposed.

FFPO argues that it is entitled to summary judgment on Lynch’s claim under the Louisiana Employment Discrimination Law. FFPO notes that this Court has already granted summary judgment to FFPO on Lynch’s unlawful termination claim under Title VII.⁷ FFPO argues that, because the LEDL “mirrors the anti-discrimination prohibitions in federal statutes, federal courts look to Title VII jurisprudence to interpret the LEDL.”⁸ Therefore, FFPO contends that because the same analysis applies to a wrongful termination claim under the LEDL, and this Court has already dismissed Lynch’s claim under Title VII, the Court should also dismiss her claims under the LEDL.⁹

Louisiana courts, as well as the Fifth Circuit, have recognized that “[c]laims under the LEDL are subject to the same analysis as discrimination claims under federal Title VII of the Civil

⁴ Rec. Doc. 6.

⁵ Rec. Doc. 212.

⁶ Rec. Doc. 236.

⁷ Rec. Doc. 236–1.


⁸ *Id.* at 3.

⁹ *Id.* at 3–4.

Rights Act of 1964.”¹⁰ Therefore, for the reasons set forth in the Court’s September 24, 2021 Order granting summary judgment to FFPO on Lynch’s wrongful termination claim under Title VII,¹¹ FFPO is also entitled to summary judgment on Lynch’s claim under the LEDL. Accordingly,

IT IS HEREBY ORDERED that FFPO’s “Motion for Partial Summary Judgment Seeking Dismissal of Plaintiff Barbara Lynch’s Wrongful Termination Claim¹² is **GRANTED**. Lynch’s claim for wrongful termination under the Louisiana Employment Discrimination Law is hereby **DISMISSED WITH PREJUDICE**.

NEW ORLEANS, LOUISIANA, this 23rd day of November, 2021.


NANNETTE JOLIVETTE BROWN
CHIEF JUDGE
UNITED STATES DISTRICT COURT

¹⁰ *Knapper v. Hibernia Nat. Bank*, 09-1036, p. 6 n. 11 (La. App. 4 Cir. 9/8/10); 49 So. 3d 898, 902 n. 11; *Turner v. Kansas City Southern Ry. Co.*, 675 F.3d 887, 891 n. 2 (5th Cir. 2012) (same); *DeCorte v. Jordan*, 497 F.3d 433, 437 (5th Cir. 2007) (same).

¹¹ Rec. Doc. 213.

¹² Rec. Doc. 236.