

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

JEREMY TORRES

CIVIL ACTION

VERSUS

NO. 11-634-SDD-SCR

EAST BATON ROUGE PARISH
d/b/a/ DEPARTMENT OF
EMERGENCY MEDICAL SERVICES

ORDER

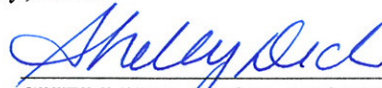
Considering the June 24, 2013 decision by the United States Supreme Court in *University of Texas Southwestern Medical Center v. Nassar*¹ wherein the Court held that Title VII retaliation claims must be proven according to traditional principles of but-for causation, not the lessened causation test as set forth in 42 U.S.C. §2000e-2(m):

The parties are hereby ordered to brief whether this holding also applies in the context of a 42 U.S.C. § 1983 claim for First Amendment retaliation. The Court recognizes that the Fifth Circuit Pattern Civil Jury Instructions require “a substantial or motivating factor” in this analysis; however, these instructions were issued prior to the Supreme Court’s decision as set forth above.

Briefs shall be filed on or before Wednesday, July 17, 2013, and shall not exceed 5 pages.

IT IS SO ORDERED.

Baton Rouge, Louisiana, this 9th day of July, 2013.



SHELLY D. DICK, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA

¹No. 12-484, — S.Ct. —, 2013 WL 3155234 (2013).