

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

DINAH ROBINSON

CASE NO. 2:17-CV-01568

VERSUS

JUDGE JAMES D. CAIN, JR.

**SCHOOL BOARD OF CALCASIEU
PARISH ET AL**

MAGISTRATE JUDGE KAY

MEMORANDUM ORDER

Before the Court is a “Motion to Allow the Golden Rule to be Argued Regarding Liability” [Doc. 50] wherein Plaintiff Dr. Dinah Robinson moves to allow the Golden Rule to be argued regarding liability at trial.

INTRODUCTION

Plaintiff, Dr. Dinah Robinson, is a 60-year-old, African American female professional teacher, and administrator. Dr. Robinson’s educational background includes a PhD from University of New Orleans educational administration, a Masters plus 30 Graduate hours certificate from McNeese University, and a Masters in Education Technology degree from McNeese University. Doc. 48-7.

On or about October 16, 2015, the position of Assistant Superintendent of Calcasieu Parish School Board became available, and interviews were conducted. Doc. 48-11 *Calcasieu Parish School System Announcing Vacant Position*. The posted position of Assistant Superintendent (Chief Operating Officer) Personnel/Auxiliary Services of Calcasieu Parish School Board required the following qualifications:

Position Qualifications: Applicant must have as a minimum the Educational Leader Level 2 Certificate or Bulletin 746 equivalent. A minimum of five years successful educational administrative experience required. Must have excellent communication skills including both written and oral presentation abilities. Applicant must also have the ability to interact with the public and employees in a positive and professional manner. Knowledge of school personnel and support systems as well as operations of the Calcasieu Parish School Board a plus.

Dr. Robinson applied for this position and was not selected. Shannon LaFarge, a fifty-year-old Caucasian male, was selected and offered the Assistant Superintendent position.

On or about February 9, 2018, Dr. Robinson applied for a position in Calcasieu Parish School Board Office titled “R3 Zone Director of Curriculum and Instruction.” Doc. 48-1. Dr. Robinson was also denied this position and given low scores by those who interviewed her, including Dr. Jill Portie, the Administrative Director of Elementary Schools. *Id.*; Doc. 48-28.

Dr. Robinson received a Right to Sue letter from the U.S. Equal Employment Opportunity Commission (“EEOC”) based on retaliation. Doc. 48-18. In her complaint of discrimination, Dr. Robinson states that she was subjected to unannounced visits and evaluations by her supervisor, was harassed, and received “harsh remarks and substandard ratings.” *Id.*

In May 2018, Dr. Robinson submitted a letter of resignation and desire to retire. Dr. Robinson later attempted to rescind her resignation/retirement and the School Board did not allow her to withdraw her resignation/retirement as it had already been accepted when the School Board first heard of her efforts.

Dr. Robinson filed suit alleging discrimination in the workplace and retaliation stemming from adverse employment action taken against Dr. Robinson after her filing charges of discrimination with the Equal Employment Opportunity Commission.


LAW AND ANALYSIS

The Fifth Circuit “has forbidden plaintiff’s counsel to explicitly request a jury to place themselves in the plaintiff’s position and do unto him as they would have him do unto them.” *Whitehead v. Food Max of Mississippi, Inc.*, 163 F.3d 265, 278 (5th Cir. 1998) (quoting *Stokes v. Delcambre*, 710 F.2d 1120, 1128 (5th Cir. 1983)). Such arguments are improper because they invite a decision based on personal bias rather than on the evidence. *Id.* As such, this Court will not permit arguments using the Golden Rule.

Accordingly,

IT IS ORDERED that Dr. Robinson’s “Motion to Allow the Golden Rule to be Argued Regarding Liability” [Doc. 50] is hereby **DENIED**.

THUS DONE AND SIGNED in Chambers this 18th day of July, 2022.



JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE