

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

LESLIE HOWARD	*	CIVIL ACTION NO. 17-0916
VERSUS	*	JUDGE ROBERT G. JAMES
SAM'S EAST, INC.	*	MAG. JUDGE KAREN L. HAYES

J U D G M E N T

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED that Defendant Sam's East, Inc.'s Rule 12(b)(1) and 12(b)(6) Motion to Dismiss [Doc. No. 7] is **GRANTED IN PART AND DENIED IN PART**. To the extent that Defendant moves for dismissal of Plaintiff's claims for harassment/hostile work environment and retaliation under Title VII, together with her claims for harassment/hostile work environment under 42 U.S.C. § 1981, the motion is **GRANTED**, and those claims are **DISMISSED WITH PREJUDICE**. The motion (including the motion to dismiss for lack of subject matter jurisdiction) is otherwise **DENIED**.

MONROE, LOUISIANA, this 30th day of November, 2017.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE