

U. S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

CYNTHIA BROUSSARD

CIVIL ACTION NO.: 10-1141

VERSUS

JUDGE DOHERTY

CHARTER COMMUNICATIONS, LLC

MAGISTRATE JUDGE HILL

RULING AND ORDER

Currently pending before this Court is a Motion for Summary Judgment [Doc. 16], filed by the only remaining defendant in the above-referenced action, Charter Communications, LLC (“Charter”).

Charter seeks dismissal of plaintiff’s claims against it¹ on the basis that plaintiff cannot prove a *prima facie* case of race discrimination, as she cannot identify any similarly situated employees who were treated differently than she was; cannot rebut Charter’s legitimate, non-discriminatory reasons for her termination; and cannot show race was a motivating factor in the termination decision. Plaintiff has not opposed the motion. Therefore, the Motion for Summary Judgment, appearing to be well-founded in law and fact and being unopposed by the plaintiff, is hereby GRANTED. All claims against Charter Communications, LLC are DISMISSED WITH PREJUDICE.

¹ In her Complaint, the plaintiff alleges a race discrimination claim against Charter “pursuant to 42 U.S.C. §1988 and pursuant to Title VII of the Civil Rights Act.” Plaintiff invokes federal question jurisdiction under 28 U.S.C. §1331, but also invokes this Court’s supplemental jurisdiction under 28 U.S.C. §1367, which plaintiff alleges “afford[s] supplemental jurisdiction over Petitioner’s claims arising under state law.” It is unclear to this Court what state law claims the plaintiff might be asserting, although plaintiff does allege Charter is liable to her for “intentional infliction of emotional distress.” In any event, no source of state law is pled in the complaint.

The instant ruling disposes of all of the remaining claims in the instant case. Therefore, the parties shall submit a Final Judgment, approved as to form, within ten (10) days of the date of this Ruling and Order.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 13 day of October, 2011.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE

COPY SENT:
DATE: 10-13-11
BY: cl
TO: ca