

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 11-11954-GAO

MICHAEL D. URBAN,
Plaintiff,

v.

CNA FINANCIAL CORPORATION, CONTINENTAL CASUALTY COMPANY, and
LAW OFFICES OF JACQUELINE L. ALLEN,
Defendants.

ORDER
September 19, 2013

O'TOOLE, D.J.

The plaintiff, Michael D. Urban, claims that the defendants, CNA Financial Corp., Continental Casualty Company, and Law Offices of Jacqueline L. Allen, terminated his employment because of his clinical depression, in violation of 42 U.S.C. § 12101, M.G.L. c. 151B, and 29 U.S.C. § 2601. The plaintiff also claims retaliation for his request of a leave of absence to treat his depression. The defendants jointly move for summary judgment on all claims.

After careful review of the summary judgment record, I conclude that there are genuine factual disputes material to the plaintiff's claims that are properly resolved by a trier of fact on a full evidentiary record. Accordingly, the defendants' Motion for Summary Judgment (dkt. no. 16) is DENIED. The matter shall stand for trial.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge