

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

HENRY LEWIS PATTERSON, "H.L."

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:10-CV-00153-DCB-JMR

YAZOO CITY, MISSISSIPPI;
YAZOO COUNTY, MISSISSIPPI; and
YAZOO RECREATION COMMISSION

DEFENDANTS

ORDER ON EVIDENTIARY HEARING

This Order concerns the matters to be addressed at the evidentiary hearing scheduled for October 12, 2011. Plaintiff has moved for summary judgment on his Due Process claim [doc. no. 4]. Defendant Yazoo Recreation Commission has moved for summary judgment on all claims [doc. no. 108]. Defendant Yazoo County has likewise requested summary judgment on all issues [doc. no. 112]. Defendant Yazoo City has asked for summary judgment on Plaintiff's ADA and ADEA claims only, conceding that there may be a genuine issue of fact with respect to Plaintiff's Due Process claim [doc. no. 105]. Accordingly, all Parties should be prepared to submit evidence and testimony concerning (1) whether Plaintiff was fired for work-related reasons; (2) whether Plaintiff was provided an opportunity to address his alleged job-performance deficiencies prior to the termination of his employment; and (3) whether Plaintiff was in fact employed by Yazoo City and Yazoo County.

SO ORDERED, this the 8th day of September 2011.

/s/David Bramlette

UNITED STATES DISTRICT JUDGE