

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

BARBARA McNERNEY,)	
)	
Plaintiff,)	
)	
v.)	No. 10-0704-CV-W-DGK
)	
LOCKHEED MARTIN OPERATIONS)	
SUPPORT, INC., and)	
PARSONS CORPORATION,)	
)	
Defendants.)	

ORDER GRANTING SUMMARY JUDGMENT

This case arises out of Plaintiff Barbara McNerney’s employment relationship with Defendants Lockheed Martin Operations Support, Inc. and Parsons Corporation, private contractors with the Federal Aviation Administration (“FAA”). Plaintiff alleges she was terminated by Defendants in retaliation for complaining to her supervisors about billing practices which violated the federal False Claims Act. Count Two, the sole remaining count in this case, alleges she was fired in violation of the “whistleblower” public policy exception to Missouri’s at-will employment rule.

Now before the Court is Parsons’ Motion for Summary Judgment (Doc. 67). Among other arguments, Parsons contends that McNerney has not alleged a sufficiently serious violation of the FCA to establish a “whistleblower” claim. As discussed in a companion order, the Court finds McNerney cannot establish an objectively reasonable belief that the billing policies she reported were “*serious* misconduct” that constituted “a violation of the law and of *well established and clearly mandated* public policy” as required by the Missouri Supreme Court in

Margiotta v. Christian Hospital Northeast Northwest. Consequently, Parson's motion is GRANTED.

IT IS SO ORDERED.

Date: June 12, 2012

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT