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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AGER M. LINDER III,)	2:08-CV-00540-PMP-PAL
Plaintiff,)	
vs.)	<u>ORDER</u>
FORD MOTOR CREDIT COMPANY,)	
Defendant.)	

Before the Court for consideration are Defendant’s Motion for Summary Judgment (Doc. #85), Plaintiff’s Motion to Strike Various Exhibits (Doc. #126), and Defendant’s Motion to Strike Various Exhibits (Doc. #161). The hearing was conducted regarding the foregoing motions on March 26, 2010.

Plaintiff Linder’s Pro Se Complaint essentially alleges claims for disparate treatment and wrongful termination based upon race, hostile work environment retaliation and defamation. The specifics of Plaintiff’s claims are clarified by the foregoing motions and the arguments of counsel presented at the hearing conducted March 26, 2010.

Having fully considered the foregoing, the Court finds that Plaintiff Linder has failed to show there exist genuine issues of material fact as to his claims as to hostile work environment and defamation. Accordingly, Defendant is entitled to judgment as a matter of law on those claims pursuant to Rule 56 of the Federal Rules of Civil Procedure. The Court finds further, however, that genuine issues of

1 material fact are raised with respect to Plaintiff Linder's claims for disparate
2 treatment and wrongful termination based upon race and retaliation. The Court
3 further finds that the respective motions to strike filed by the parties should be
4 denied.

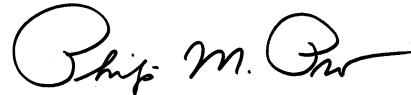
5 **IT IS THEREFORE ORDERED** that Defendant Ford Motor Credit
6 Company's Motion for Summary Judgment (Doc. #85) is **GRANTED** with regard to
7 Plaintiff Linder's claims for hostile work environment and defamation, and is
8 **DENIED** with respect to Plaintiff Linder's claim for disparate treatment and
9 wrongful termination based upon race and retaliation.

10 **IT IS FURTHER ORDERED** that Plaintiff Linder's Motion to Strike
11 Various Exhibits (Doc. #126) is **DENIED**.

12 **IT IS FURTHER ORDERED** that Defendant Ford Motor Credit
13 Company's Motion to Strike Various Exhibits (Doc. #161) is **DENIED**.

14 **IT IS FURTHER ORDERED** that counsel for the parties shall forthwith
15 meet and confer, and shall not later than **April 28, 2010**, file a joint pretrial order in
16 compliance with Local Rules of this Court.

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18 DATED: April 7, 2010.

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PHILIP M. PRO
United States District Judge