

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

David B. Scott

v.

Civil No. 12-cv-435-PB

New Hampshire Police Standards &
Training Council, et al.

O R D E R

I decline to reconsider my ruling that the defendants are not employers subject to liability under Title VII. I am also unpersuaded by the plaintiff's contention that either defendant is subject to liability as a labor organization. Plaintiff cites no cases that directly support his argument, and he has failed to explain how either defendant can be seen in the context of this case as an organization "in which employees participate," as that phrase is used in the statute. The mere fact that trainees attend the academy does not qualify either the state or the Police Standards & Training Council as a labor organization. Because employee participation is a requirement to qualify as a labor organization, I also reject plaintiff's contention that the defendants are subject to liability on this basis. The motion for reconsideration (Doc. No. 15) is denied.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

April 10, 2013

cc: David B. Scott, pro se
Nancy J. Smith, Esq.