

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

HERMAN GOMEZ,

Plaintiff,

v.

CON-WAY CENTRAL EXPRESS
INC., ET AL.,

Defendants.

Civil Action No.: 06-5352

ORDER

This matter comes before the Court on Defendant's, Con-Way Freight, Inc. (Con-way), motion for summary judgment to dismiss claims brought by its former employee, Plaintiff, Herman Gomez, and the Court having considered the arguments of the parties, and for good cause having been shown;

IT IS on this 18th day of March, 2009

ORDERED that Defendant's motion for summary judgment (Docket No. 12) is granted in part and denied in part. Plaintiff's first claim, that he was discriminated against under the NJLAD, can proceed, while Plaintiff's second claim, that Defendant violated the Workers Compensation Act, is dismissed; and it is further

ORDERED that trial in this matter will commence May 11, 2009, at 9:30 a.m.

s/Peter G. Sheridan

PETER G. SHERIDAN, U.S.D.J.