

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:13-cv-00108-MOC-DLH

JUDITH GENTRY,)
)
 Plaintiff,)
)
 Vs.)
)
MAGGIE VALLEY RESORT MANAGEMENT,)
LLC; EAST WEST PARTNERS CLUB)
MANAGEMENT COMPANY, INC.; AND)
JAY MANNER,)
)
 Defendants.)

ORDER

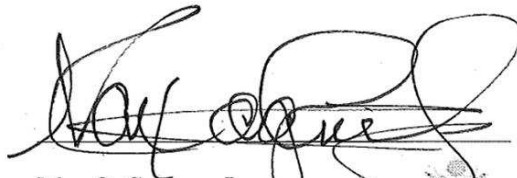
THIS MATTER is before the court on defendants’ Motions for Summary Judgment (#s 57 & 61) and defendants’ joint Motion to Strike memorandum in Opposition to Motion. While defendants have come forward with some evidence that plaintiff was terminated due to a reduction-in-force and consolidation of positions, plaintiff has come forward with evidence that, if admitted at trial and believed, could satisfy each element of an ADA claim, a wrongful discharge claim under state law, and the shifting burdens of a Title VII claim based on gender. Put another way, genuine issues of material fact exist as to why plaintiff’s employment was terminated. Having considered defendants’ motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendants’ Motions for Summary Judgment (#57 & 61) and defendants’ joint Motion to Strike Memorandum in Opposition to Motion are DENIED. The joint Motion for Extension of Time to File [Exchange] Pretrial Disclosures (#91)

is ALLOWED, and the parties may make such exchange of disclosures not later than the Final Pretrial Conference.

Signed: August 11, 2014



Max O. Cogburn Jr.
United States District Judge