

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Patricia White-Harris,

Plaintiff,

vs.

GCA Services Group, Inc.,

Defendant.

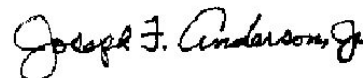
C/A No. 3:13-cv-01137-JFA

**ORDER**

In this personal injury case, the parties have filed cross motions for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. ECF Nos. 37, 38. In support of their motions, both parties have cited and attached excerpts of the deposition of the plaintiff, Patricia White-Harris (“Plaintiff”). See ECF Nos. 37-2, 38-2, *et seq.* In her testimony, Plaintiff appears to rely on statements made by others, including Ms. Sul Black. Both parties cite some of this testimony in the briefs. However, hearsay is not admissible to support or oppose summary judgment, just as the use of hearsay is not admissible at trial. See *e.g.*, *Greensboro Prof’l Fire Fighters Ass’n Local 3157 v. Greensboro*, 64 F.3d 962, 967 (4th Cir. 1995) (“evidence that is inadmissible at trial is not admissible for summary judgment”); *U.S. Dept. of Housing and Urban Dev. v. Cost Control Mktg. & Sales Mgmt. of Va., Inc.*, 64 F.3d 920, 926 (4th Cir. 1995) (“hearsay, like other evidence inadmissible at trial, is ordinarily an inadequate basis for summary judgment”). Thus, pursuant to Rule 56(e), the court directs the parties to submit briefs, within 14 days of this order, explaining why the portions of Plaintiff’s testimony that rely on other individuals’ statements are admissible in this matter.

IT IS SO ORDERED.

July 1, 2014  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge