Robinson v. T-Mobile, USA, Inc. Doc. 60

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

RACHEL ROBINSON,	)	
	)	
Plaintiff,	)	
v.	)	No. 1:08-cv-143
	)	*Edgar*
T-MOBILE and T-MOBILE, USA, INC.	)	
	)	
Defendant.	)	

ORDER

In accordance with the accompanying memorandum opinion, the motion for summary judgment filed by Defendants T-Mobile and T-Mobile, USA, Inc. [Court Doc. No. 49] is **DENIED** in part and **GRANTED** in part. Defendant's motion for summary judgment regarding Plaintiff's claims pursuant to the Family Medical Leave Act, 29 U.S.C. §§ 2601 *et seq.* ("FMLA") is **DENIED**. Defendant's motion for summary judgment regarding Plaintiff's claims for discrimination pursuant to the Tennessee Disability Act ("THA"), Tenn. Code Ann. §§ 8-50-103 *et seq*. is **GRANTED**. Plaintiff's claim for discrimination pursuant to the THA against Defendant is **DISMISSED WITH PREJUDICE**. The parties should be prepared to proceed to trial regarding Plaintiff's retaliation and interference claims under the FMLA.

SO ORDERED.

ENTER this the 28th day of September, 2009.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE

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