Equal Employment Opportunity Commission v. Southeastern Telecom Inc. Doc. 35

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	)	
Plaintiff,	)	
v.	)	**Civil Action No. 3:09-cv-0887**
SOUTHEAST TELECOM, INC.,	)	**Judge Thomas A. Wiseman, Jr.**
Defendant.	)	

ORDER

Plaintiff Equal Employment Opportunity Commission ("EEOC") brings this action on behalf of Suzanne Sword alleging that defendant Southeast Telecom, Inc. ("SET") discharged Sword in retaliation for her complaint of sex discrimination, in violation of Title VII of the Civil Rights Act of 1964, as amended ("Title VII), and of the Fair Labor Standards Act ("FLSA"). SET has now filed its motion for summary judgment (Doc. No. 14), asserting that the plaintiff's claims must fail because Sword lacked a reasonable, good-faith belief that a Title VII violation had occurred in the first place and because the plaintiff can neither establish a *prima facie* case of retaliation or show that SET's proffered good-faith, non-retaliatory reasons for its actions are pretextual.

For the reasons explained in the accompanying Memorandum Opinion, the Court finds that the plaintiff has presented evidence sufficient to state a *prima facie* case of retaliation, and to create an inference that SET's proffered reasons for its adverse actions against Sword are pretextual. SET's motion for summary judgment is therefore **DENIED**. This matter remains scheduled for trial to begin March 15, 2011.

It is so **ORDERED**.

Thomas A. Wiseman, Jr.
Senior U.S. District Judge

Dockets.Justia.com