6th Circuit Affirms Summary Judgment Award in Wrongful Discharge Case and Awards Sanctions Against Plaintiff's Counsel

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On October 10, 2012, a unanimous panel from the U.S. Court of Appeals for the 6th Circuit issued a decision affirming a summary judgment ruling in favor of Defendant and Firm client Graphic Packaging in a wrongful discharge case. The case involved an employee who was discharged for poor performance. She filed a lawsuit in Ohio state court, and the Company removed it to federal court. In her deposition, the Plaintiff conceded that she was not terminated because of her gender or age, rebutting her discriminatory discharge claims.

Atlanta attorney Terri Stewart, who represented Graphic Packaging, commented: "We knew from the outset that the Plaintiff's claims were without merit. The Company gave the Plaintiff every opportunity to withdrawal her baseless claims in light of her admissions and established legal authority, but the Plaintiff continued to press forward all the way through the appellate level."

As a result, the 6thCircuit panel awarded Graphic Packaging its costs and attorney fees related to the appeal from Plaintiff's counsel. In awarding sanctions against the attorney, the 6th Circuit characterized the case simply as a "meritless appeal."

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Terri R. Stewart
Regional Managing Partner
404.240.4247
Email

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