IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

HEATHER YARBROUGH,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO:
	:	
YKK U.S.A., INC.,	:	1:20-cv-419-AT
	:	
Defendant.	:	
	:	

ORDER

Plaintiff Heather Yarbrough filed this employment discrimination action on January 29, 2020, bringing claims against her former employer, YKK U.S.A., Inc., ("Defendant" or "YKK") for race discrimination (hostile work environment) under both Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq*. ("Title VII") and 42 U.S.C.§ 1981, as well as for retaliation under both statutes. (Doc. 1.) On November 2, 2020, Defendant filed its Motion for Summary Judgment. (Doc. 60.) After full briefing, this case was submitted to the Magistrate Judge for review. Accordingly, the Magistrate Judge's Final Report and Recommendation ("R&R") [Doc. 89], Defendant YKK's Objections (Doc. 92), and Plaintiff's Response (Doc. 96) are now before the Court.

I. Report and Recommendation of the Magistrate Judge

After reviewing the relevant facts and the Parties' arguments, the Magistrate Judge recommends that Defendant's Motion for Summary Judgment (Doc. 60) be

granted in part and denied in part. (R&R, Doc. 89 at 32.) Specifically, the Magistrate Judge recommends that summary judgment be granted on Counts I and II, Plaintiff's claims for race discrimination (hostile work environment) under both Title VII and § 1981. (R&R at 20.) Plaintiff does not object to this finding. In accordance with the standard of review outlined below, the Court reviews this finding for plain error. Finding no error, the Court **ADOPTS** this recommendation. Summary judgment is **GRANTED** in favor of Defendant on Counts I and II, the hostile work environment claims.

In contrast, however, the Magistrate Judge recommends denial of summary judgment on Plaintiff's retaliation claims, Counts III and IV (R&R at 32), as she determined that Plaintiff presented direct evidence of retaliatory motivation on the part of the decisionmaker, and, even if not, Plaintiff established her case through the *McDonnell-Douglas* burden-shifting framework. (R&R at 22-23.)

Defendant YKK objects to the Magistrate Judge's findings (1) that there was direct evidence in this case; (2) that Plaintiff Yarbrough established a causal connection between her protected activity and her termination, as a part of her *prima facie* case; and (3) that Plaintiff presented evidence that YKK's reason for terminating Yarbrough was pretextual, thereby establishing a jury question as to Plaintiff's retaliation claims. (Def. Obj., Doc. 92 at 2.)

II. Standard of Review

After conducting a careful and complete review of a magistrate judge's findings and recommendations, a district judge may accept, reject, or modify a

magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1)(C); *Williams v. Wainwright,* 681 F.2d 732, 732 (11th Cir. 1982). Pursuant to 28 U.S.C. § 636(b)(1), the Court reviews any portion of the R&R that is the subject of a proper objection on a *de novo* basis and any non-objected portion for plain error. 28 U.S.C. § 636(b)(1)(C); *Thomas v. Arn*, 474 U.S. 140, 154 (1985). The district judge must "give fresh consideration to those issues to which specific objection has been made by a party." *Jeffrey S. v. State Bd. Of Educ. Of Ga.*, 896 F.2d 507, 512 (11th Cir. 1990).

In review, the Court applies the standards for grant of summary judgment under Rule 56 of the Federal Rules of Civil Procedure set forth in *Anderson v. Liberty Lobby Inc.,* 477 U.S. 242, 248 (1986) and its progeny. The district court should resolve all reasonable doubts about the facts in favor of the non-movant and draw all justifiable inferences in [her] favor." *United States v. Four Parcels of Real Prop. in Greene & Tuscaloosa Cntys. in State of Ala.*, 941 F.2d 1428, 1437 (11th Cir. 1991) (*en banc*) (citations and punctuation omitted). The Court may not weigh conflicting evidence or make credibility determinations. *Hairston v. Gainesville Sun Publ'g Co.*, 9 F.3d 913, 919 (11th Cir. 1993), *reh'g denied*, 16 F.3d 1233 (11th Cir. 1994) (*en banc*).

III. Review of Objections to the R&R

A. Objection to the finding of direct evidence

Defendant YKK first objects to the Magistrate Judge's finding of direct evidence based on an alleged conversation between Plaintiff Yarbrough and the

decisionmaker in this case, HR Manager Staci Uselton, that occurred the day after Plaintiff was fired. (Def. Obj. at 9-12.) At her deposition, Plaintiff testified that, the day after she was fired, she had a meeting with Ms. Uselton, which included the following exchange:

> I was like, "So y'all are firing me for doing the right thing and reporting bullying, racial discrimination, racial harassment, because I reported it?"
>
> She told me I should have kept my mouth closed, I'd still have my job.

(Deposition of Heather Yarbrough ("Yarbrough Dep."), Doc. 61-1, p. 220:10-15.) Plaintiff further testified that, during this in-person conversation, she (Plaintiff) asked Ms. Uselton what she should tell her kids about being fired, stating:

> I told her, "I don't lie to my kids."
>
> She said, "Well, I think it would be best. We don't need any racial – racial tension on the floor."

(Yarbrough Dep., Doc. 61-2, p. 223:21-24.)

Defendant YKK argues that the Magistrate Judge incorrectly characterized Ms. Uselton's alleged statement that Plaintiff "should have kept [her] mouth closed" and she'd "still have [her] job" as direct evidence of retaliatory motive. (Def. Obj. at 10.) This finding was error, according to YKK, because Ms. Uselton's responsive statement is ambiguous and can be interpreted in more than one way, "including an interpretation that is consistent with Ms. Uselton's non-retaliatory reason for terminating Plaintiff," (Obj. at 11-12), *i.e.*, that Plaintiff was fired because she violated company work rules by creating drama and engaging in

malicious gossip. In support of YKK's legitimate non-discriminatory reason for firing Plaintiff, YKK relies on Ms. Uselton's email to Plaintiff's supervisors on the date she was fired, stating:

> There have been numerous situations regarding employee drama and malicious gossip, [Plaintiff] being the root cause. I have come to the determination that this behavior cannot keep going on within the plant. It affects comradery, teamwork, and most importantly, production! For that reason, we will need to terminate Heather's employment with YKK for violation of the company work rules specifically acts of uncivil behavior. I realize that Heather will perceive herself as the victim in this incident, however based on the statements given by other employees, Heather created this hostile environment by running to the supervisors with incorrect or made up stories of other employees in the hope of getting someone else in trouble.

(Oct. 17, 2019 Email from Staci Uselton to Supervisors, Doc. 61-7 at 48.) Thus, Defendant contends, Ms. Uselton's alleged statement that Plaintiff would "still have [her] job" if she had "kept her mouth closed" is subject to interpretation and cannot therefore be direct evidence. (Def. Obj. at 11-12) ("To be direct evidence of retaliation, Ms. Uselton's comment would have had to have been something like, 'In answer to part three of your question, Ms. Yarbrough, you were fired for reporting racial harassment.'").

Direct evidence is "evidence, which if believed, proves existence of a fact in issue without inference or presumption." *Meritt v. Dillard Paper Co.*, 120 F.3d 1181, 1189 (11th Cir. 1997) (citing *Rollins v. TechSouth, Inc.*, 833 F.2d 1525, 1528 n. 6 (11th Cir. 1987)). "Evidence that only suggests discrimination, *see Early v. Champion Intern. Corp.*, 907 F.2d 1077, 1081-82 (11th Cir. 1990), or that is subject to more than one interpretation, *see Harris v. Shelby Cty. Bd. of Educ.*, 99 F.3d

1078, 1083 n. 2 (11th Cir. 1996), does not constitute direct evidence." *Id.* The "quintessential example" of direct evidence would be a memo or comment stating, "Fire [the plaintiff]—he is too old." *Id.* (citing *Early*, 907 F.2d at 1081). In the retaliation context, the Eleventh Circuit has found direct evidence where the decisionmaker and president of the company stated, "Your deposition was the most damning to Dillard's case, and you no longer have a place at Dillard Paper Company." *Id.* at 1190 (noting that there was no other reasonable interpretation of the decisionmaker's statement that was not retaliatory); *see also, Calhoun v. EPS Corp.*, 36 F. Supp. 3d 1344, 1347 (N.D. Ga. 2014) (Batten, J.) (finding direct evidence of retaliation where decisionmaker stated in a declaration that he "learned that [the plaintiff] filed a complaint with the EEO office" and therefore "made the decision to terminate [the plaintiff's] employment with EPS" because he believed she "knowingly filed a false complaint") *vacated in part on other grounds*, 2014 WL 12799080 (N.D. Ga. Sept. 15, 2014).

Here, the Court has doubts that the statement at issue constitutes direct evidence under the binding authority in this Circuit. To be sure, it is entirely possible that a reviewing jury could determine that Ms. Uselton's comment that Plaintiff "should have kept [her] mouth shut" directly responded to Plaintiff's question asking if she was fired for reporting racial harassment—which would indeed constitute direct evidence. However, that is not the *only* interpretation of the exchange. As Defendant argues, a factfinder could understand Ms. Uselton's comment that Plaintiff "should have kept [her] mouth shut" as referring to

Plaintiff's alleged tendency to engage in gossip and "run[] to the supervisors with incorrect or made up stories of other employees." (Email from Staci Uselton to Supervisors, Doc. 61-7 at 48). To find that Ms. Uselton's alleged statement was direct evidence of retaliatory motive requires an inference that Plaintiff "should have kept [her] mouth shut" *about racial harassment*, as opposed to other non-protected speech.[1] In this Circuit, evidence that is "subject to more than one interpretation" does not constitute direct evidence. *Meritt*, 120 F.3d at 1189; *Marria v. C.R. England, Inc.*, 679 F. App'x 844, 848 (11th Cir. 2017) (finding no direct evidence where decisionmaker stated in email that "[w]hen my supervisor gets in this morning I am going to review [the plaintiff] for a termination. He has also filed [an EEOC charge] against me and [the employer]."); *See also, Mwawasi v. Sam's Club East, Inc.*, No. 1:07-cv-1717-AJB, 2008 WL 11333413, at *6 (N.D. Ga. Dec. 18, 2008) (finding that decisionmaker's comment that "there are young folk who can do better than you" was not direct evidence because it was subject to multiple interpretations and required an inference to reach the conclusion that decisionmaker fired the plaintiff because of his age) *report and recommendation adopted*, 2009 WL 10671147 (N.D. Ga. Jan. 6. 2009). Accordingly, the Court finds that Ms. Uselton's alleged statement does not constitute direct evidence. However, because the Court agrees with the Magistrate Judge that Plaintiff has established a

[1] As noted above, Defendant argues that "[t]o be direct evidence of retaliation, Ms. Uselton's comment would have had to have been something like, 'In answer to part three of your question, Ms. Yarbrough, you were fired for reporting racial harassment.'" (Def. Obj. at 11.) The Court notes that this level of specificity is not necessarily required.

triable fact question under the *McDonnell-Douglas* burden-shifting framework, Plaintiff's retaliation claims withstand summary judgment, as described below.

B. Objection to the finding that Plaintiff established the causation element of her *prima facie* case of retaliation

In retaliation cases based on circumstantial evidence, a plaintiff establishes a *prima facie* case by showing that (1) she engaged in statutorily protected activity; (2) she suffered an adverse employment action; and (3) the adverse action was causally related to the protected activity. *Gogel v. Kia Motors Mfg. of Ga., Inc.*, 967 F.3d 1121, 1134 (11th Cir. 2020); *Meeks v. Computer Assocs. Int'l*, 15 F.3d 1013, 1021 (11th Cir. 1994). Here, YKK argues that the Magistrate Judge erred in finding that Plaintiff had established the causation element of her *prima facie* case. (Def. Obj. at 12-16.)

The Magistrate Judge "assume[d] without deciding" that Plaintiff engaged in protect activity when she, according to her declaration, told her supervisor Rodney Fox on October 16 that her co-workers had "previously called [her] other racial slurs, like 'cracker'" in addition to complaining that her coworker had called her a "white bitch" that day. (Declaration of Heather Yarbrough ("Yarbrough Decl."), Doc. 71-5 ¶ 45.)[2] Defendant YKK does not appear to challenge the finding that this alleged reporting constitutes protected activity. Plaintiff was fired the next day on October 17. (*Id.* ¶ 49.)

[2] Mr. Fox declared that "Ms. Yarbrough did not complain to me that she was subjected to any racial slurs during her employment. Ms. Yarbrough did not tell me weekly that she was subjected to racial slurs." (Declaration of Rodney Fox, Doc. 61-26 ¶ 3.) Accordingly, whether Plaintiff complained to Fox is a disputed fact in the record.

Typically, the short timespan of a single day between this protected activity and the adverse employment action would be sufficient circumstantial evidence to create a genuine issue of material fact of a causal connection. *Martin v. Fin. Asset Management Sys., Inc.,* 959 F.3d 1048, 1054 (11th Cir. 2020) (citing *Thomas v. Cooper Light., Inc.,* 506 F.3d 1361, 1364 (11th Cir. 2000)); *see also*, *Jefferson v. Sewon America, Inc.*, 891 F.3d 911, 926 ("[W]e have explained that an employee's termination within days … of [her] protected activity can be circumstantial evidence of a causal connection between the two."). However, there is an exception to this general rule: "temporal proximity alone is insufficient to create a genuine issue of fact as to causal connection where there is unrebutted evidence that the decision maker did not have knowledge that the employee engaged in protected conduct." *Brungart v. BellSouth Telecommunications, Inc.*, 231 F.3d 791, 799 (11th Cir. 2000); *see also, Martin,* 959 F.3d at 1053 ("After all, a decision maker cannot have been motivated to retaliate by something unknown to him, whether or not the two events happened close in time.") (internal quotation omitted).

Where the decisionmaker has testified that she was unaware of the protected activity, the plaintiff may still "avoid summary judgment if she can present any other evidence of [the decisionmaker's] knowledge" or, alternatively, if she presents "evidence that impeaches [the decisionmaker's] denial of knowledge." *Martin*, 959, F.3d at 1053 (citing *Brungart*, 231 F.3d at 799). Here, Ms. Uselton, the decisionmaker, testified that she was not aware of any complaints of race discrimination before Plaintiff was fired. Specifically, Ms. Uselton testified that:

> [S]he did not come to me about anything prior to her termination.
>
> Q: So you deny that Ms. Yarbrough had any race complaints that were brought to your attention before she was fired?
>
> A: Absolutely.

(Deposition of Staci Uselton, Doc. 61-7, p. 13:13-18.) Thus, the question is whether Plaintiff has presented any other evidence to support that Ms. Uselton knew of Plaintiff's protected activity or any evidence to impeach Ms. Uselton's denial of awareness.

Upon review, the Court concurs with the Magistrate Judge that there is other record evidence to support that Ms. Uselton knew of Plaintiff's protected activity beyond simple speculation that Mr. Fox relayed Plaintiff's complaint to Ms. Uselton. (R&R at 25-26.) The Court finds that a reasonable factfinder could determine that Ms. Uselton's alleged comments that Plaintiff "should have kept [her] mouth shut" and, more specifically, that "[w]e don't need any racial – racial tension on the floor" are evidence that could indicate that Ms. Uselton was aware of Plaintiff's complaints that her coworkers had called her racial slurs in the past, as well as on October 16. The Court notes that it is undisputed that Ms. Uselton reviewed Plaintiff's written comment — which details that her coworker called her a "white bitch" — before terminating her (Uselton Decl. ¶ 14), potentially rendering suspect Ms. Uselton's unequivocal denial that any of Ms. Yarbrough's race complaints were brought to her attention before Plaintiff was fired.

Further, the day after Ms. Yarbrough was fired, Plaintiff questioned Ms. Uselton, asking if she was fired for reporting racial discrimination, and Ms. Uselton responded that she "should have kept [her] mouth shut." (Yarbrough Dep., Doc. 61-1, p. 220:10-15.) In addition, according to Plaintiff's testimony, Ms. Uselton thereafter stated that YKK did not need any "racial tension on the floor." (Yarbrough Dep., Doc. 61-2, p. 223:21-24.) Viewing the facts in the light most favorable to Plaintiff, it is a reasonable inference that Ms. Uselton's responsive statements are indicative of what she knew at the time of making the decision to fire Plaintiff. In light of these alleged statements by Ms. Uselton and Ms. Uselton's undisputed knowledge of the "white bitch" comment, this is not a case where Plaintiff relies purely on "mere speculation" that Mr. Fox told Ms. Uselton of Plaintiff's complaint. *Contra, Martin*, 959 F.3d at 1054 (noting that speculation that employee with knowledge of protected activity had opportunity to tell decisionmaker that the plaintiff engaged in protected activity is not sufficient, *standing alone*, to show that supervisor actually conveyed that information) (citing *Clover v. Total System Services, Inc.*, 176 F.3d 1346, 1355 (11th Cir. 1999)). A reasonable jury could find that Ms. Uselton was aware of Plaintiff's protected activity at the time she fired her. The Court **OVERRULES** this objection.

C. Objection to the finding that Plaintiff showed pretext

Defendants argue that the Magistrate Judge erred in finding that Plaintiff established pretext through Ms. Uselton's alleged statements, discussed

throughout, that Plaintiff should have "kept [her] mouth shut" and that YKK didn't need "racial tension on the floor." (Def. Obj. at 16-23.)

First, YKK argues that these statements cannot constitute pretext because Plaintiff admitted — in her "hotline complaint" submitted four days after she was fired — that she was fired for a non-retaliatory reason: namely, that she didn't "know how to stay out of other people's business." (Def. Obj. at 18) (citing R&R at 5) (citing Plaintiff's Oct. 21 Hotline Complaint, Doc. 61-2 at 160). Because a retaliation claim requires that a plaintiff's protected activity be the but-for cause of the adverse action, *see University of Texas Southwestern Med. Ctr. v. Nassar*, 570 U.S. 338, 362 (2013), Defendant contends that Plaintiff cannot prevail where she admits an alternate non-retaliatory reason caused her termination. (Def. Obj. at 17-19.) But in so arguing, YKK mischaracterizes Plaintiff's "hotline complaint." Ms. Yarbrough did not "admit" that she was fired because she could not "stay out of other people's business" but instead stated that *Human Resources said* she was fired for this reason. (Hotline Complaint, Doc. 61-2 at 160.) That is no admission.

Defendant's subsequent arguments with respect to pretext involve a rehashing of its causation argument that there is no evidence that Ms. Uselton knew of Plaintiff's protected activity and therefore Ms. Uselton's alleged statement that Plaintiff "should have kept [her] mouth shut" is not evidence of pretext. (Def. Obj. at 19-20.) But this argument clearly implicates issues of disputed fact and credibility determinations that are inappropriate for resolution at summary judgment. As the Magistrate Judge determined, a reasonable jury could credit

Plaintiff's testimony and find that Ms. Uselton's statement directly responded to Plaintiff's question asking if she was fired for reporting racial discrimination and harassment. (R&R at 30-31.) Similarly, a jury, believing Plaintiff's testimony, could find that Ms. Uselton's alleged statement that "[w]e don't need any racial – racial tension on the floor" was evidence that Ms. Uselton's stated reason — that Plaintiff engaged in drama and malicious gossip — was not the real reason and instead that YKK fired Plaintiff because she complained of racial discrimination and harassment.

In addition, the Court finds that the record contains additional evidence of pretext not relied upon by the Magistrate Judge but nevertheless relevant. In her declaration, decisionmaker Staci Uselton explained that, after the incident between Plaintiff and the other YKK employee (Ms. Atkins) on October 16, she reviewed the statements of various employees, including Plaintiff, Ms. Atkins, and witnesses to the incident (Ms. Colvard and Mr. Green). (Uselton Decl. ¶¶ 14-15.) After reviewing the information, Ms. Uselton

> concluded that Ms. Atkins and Ms. Colvard were more credible than was Ms. Yarborough [sic] regarding what precipitated the dispute and what was said. Both Ms. Atkins and Ms. Colvard were satisfactory, long-term YKK employees who had never been in confrontations with other employees. In contrast, Ms. Yarborough [sic] had not been employed as long, had previously accused two employees of being on drugs and had been in a confrontation with Ms. Bonner because of conduct similar to what Ms. Atkins and Ms. Colvard described. **She was also on a final warning resulting from her confrontation with Ms. Bonner**. I therefore made the decision to terminate Ms. Yarborough's[sic] employment and to place Ms. Atkins on a three-day suspension since I had previously advised her to ignore Ms. Yarborough[sic] and she had disregarded that advice.

(*Id.* ¶ 15) (emphasis added). Plaintiff argues that "viewed in the light most favorable to Plaintiff, Ms. Uselton's testimony claims that the alleged confrontation with Ms. Atkins and Ms. Colvard was only a terminable offense because Plaintiff was already on a 'final warning.'" (Pl. Resp. to Obj. at 14.) Further, Plaintiff contends that the record contains evidence that Ms. Uselton did not reasonably believe that Plaintiff was on a final warning because (1) there is no written documentation to that effect and (2) Ms. Uselton promoted Plaintiff and gave her a pay raise *after* the incident with Ms. Bonner that allegedly caused her to be placed on a final warning. (*Id.* at 15, 18-19.)

The Court agrees that a jury could find that Ms. Uselton's decision to promote Plaintiff after the Bonner incident calls into question Uselton's statement that Plaintiff was on a final warning, which was, according to Ms. Uselton's own testimony, a basis for Uselton's decision to terminate Plaintiff. *Stanfield v. Answering Service, Inc.*, 867 F.2d 1290, 1294 (11th Cir. 1989) (finding that jury question existed where plaintiff presented evidence *inter alia* that she had no disciplinary reports in her file where employer stated that she was fired because her job performance had declined); *Wascura v. City of South Miami*, 257 F.3d 1238, 1245 (11th Cir. 2001) (acknowledging that a "lack of complaints or disciplinary reports in an employee's personnel file may support a finding of pretext"); *Crosdale v. Indian River Mem. Hosp.*, 299 F.Supp.2d 1247, 1252 (S.D. Fla. 2003) (finding that plaintiff showed evidence of pretext where defendant's

reason for firing plaintiff was that he *inter alia* "had a bad attitude" and received patient and co-worker complaints but plaintiff showed that defendant failed to document or formalize any counseling or correction).

Thus, considering the alleged statements by Ms. Uselton that Plaintiff "should have kept [her] mouth shut" and that YKK did not need any "racial tension on the floor," coupled with the lack of evidence that Plaintiff was on a final warning (a basis of Ms. Uselton's termination decision), there are triable issues of fact with respect to whether YKK's articulated reason for terminating Plaintiff was a pretext for unlawful retaliation.[3] Defendant's objection on this front is **OVERRULED**.

IV. Conclusion

To sum up, the Court **ADOPTS AS AMENDED** the Magistrate Judge's R&R [Doc. 89], and **GRANTS IN PART AND DENIES IN PART** Defendant's Motion for Summary Judgment [Doc. 60]. The Court **ORDERS** the Parties to engage in mediation to be conducted by a magistrate judge of this Court. In engaging in mediation, the Court advises the Parties to look seriously at the strengths and weaknesses of their case in the context of a potential trial, and frankly assess how the evidence and testimony will be received by a jury. It is in

[3] The Court also notes that Ms. Uselton testified that she was aware of Plaintiff's alleged gossiping about Ms. Atkins *the day before* the confrontation on October 16 because Ms. Atkins had "come to my office, fired up mad, pissed off at [Plaintiff] because [Plaintiff] was gossiping and running her mouth." (Uselton Dep. p. 17:24-25; 18:1.) Further, Ms. Uselton explained that she advised Ms. Atkins to "take the high road" but that Ms. Atkins "didn't take my advice" and the next morning "decided she was going to confront [Plaintiff] and have this discussion with her." (*Id.* p. 18:5-8.) A jury could determine that the fact that Ms. Uselton knew of Plaintiff's alleged malicious gossip on October 15 but took no action at the time undercuts her contention that she fired Plaintiff for engaging in malicious gossip.

the interest of all Parties to mediate in good faith. Both Parties face distinct challenges in their respective cases.

The Clerk is **DIRECTED** to refer this action to the next available magistrate judge (other than Magistrate Judge Walker) for the purpose of conducting the mediation. The mediation shall be concluded within forty-five (45) days of the date of this order unless otherwise extended by the Magistrate Judge. If the case is not settled at the mediation, the parties are **DIRECTED** to file a status report with the Court within ten (10) days of the conclusion of the mediation and file a proposed consolidated pretrial order within twenty (20) days of the conclusion of the mediation.

IT IS SO ORDERED this 29th day of June 2021.

Honorable Amy Totenberg
United States District Judge