

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 99-2805

Roberta Simat,

Appellant,

v.

Chi-Chi's, Inc., a Delaware corporation;
Family Restaurants, Inc., a Delaware
corporation,

Appellees.

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Appeal from the United States
District Court for the District
of Minnesota.

[UNPUBLISHED]

Submitted: June 15, 2000
Filed: June 29, 2000

Before MURPHY, HEANEY, and MAGILL, Circuit Judges.

PER CURIAM.

Roberta Simat appeals from an adverse judgment in her action against her former employer, Chi-Chi's Inc., and its parent corporation Family Restaurants, Inc. ("FRI") alleging violations of the Minnesota Human Rights Act ("MHRA"), Minn. Stat. Ch. 363 (1996) and a common law claim of defamation. Simat, the manager of a Chi-Chi's restaurant, was dismissed after being accused of sexually harassing a subordinate employee. She claimed disparate treatment on the basis of her gender and marital status, reprisal for reporting that another employee had been harassed, and defamation

based on a report by an employee to a security guard that Simat had threatened him. On appeal Simat alleges that the district court¹ improperly limited her discovery and erred in granting summary judgment. After a thorough review of the record, we conclude that the district court did not abuse its discretion in its discovery rulings and that Simat failed to make a sufficient showing on her claims to withstand the defendants' summary judgment motion. We affirm on the basis of the record and the memorandum opinion of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Michael J. Davis, United States District Judge for the District of Minnesota.