

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 01-2760

Phyllis Jean Cournan,

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Plaintiff - Appellant,

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Appeal from the United States

v.

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District Court for the

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Eastern District of Arkansas.

John Ashcroft, Attorney General of the
United States,

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[UNPUBLISHED]

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Defendant - Appellee,

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Submitted: January 17, 2002

Filed: March 7, 2002

Before LOKEN, HEANEY, and MURPHY, Circuit Judges.

PER CURIAM.

FBI Special Agent Phyllis Jean Cournan was suspended for ten days on November 28, 1997, after admitting she had disclosed confidential FBI information during a high-profile murder investigation. In this Title VII action, Cournan alleges that the suspension was in retaliation for her 1994 EEOC sex discrimination complaint and that she received disparate treatment because male FBI agents have

disclosed Bureau information without being disciplined. The district court¹ granted the Attorney General's motion for summary judgment, concluding that both claims fail because the FBI obviously advanced a legitimate, non-discriminatory reason for suspending Cournan -- her unauthorized disclosure of confidential information -- and Cournan failed to come forward with sufficient evidence that the reason given was a pretext for either unlawful retaliation or disparate treatment. Cournan appeals the dismissal of her retaliation claim. After careful review of the summary judgment record, we affirm for the reasons stated in the district court's June 25, 2001, Order. See 8th Cir. Rule 47B.

A true copy.

Attest:

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

¹The HONORABLE SUSAN WEBBER WRIGHT, Chief Judge of the United States District Court for the Eastern District of Arkansas.