

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-2113SI

Marlene E. Dohrn,

Appellant,

v.

Circle B. Cashway, Inc.,

Appellee.

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* On Appeal from the United
* States District Court
* for the Southern District
* of Iowa.
*
* [Not to be Published.]
*
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Submitted: January 15, 1999

Filed: January 25, 1999

Before RICHARD S. ARNOLD and MORRIS SHEPPARD ARNOLD, Circuit
Judges, and TUNHEIM,¹ District Judge.

PER CURIAM.

This is a Title VII case. The plaintiff, Marlene E. Dohrn, claims that the defendant, Circle B. Cashway, Inc., fired her on account of her sex. The defendant denies this, and states that Ms. Dohrn was in fact discharged because she had shown herself disloyal to the company by looking for another job in secret. The District

¹The Hon. John R. Tunheim, United States District Judge for the District of Minnesota, sitting by designation.

Court² granted the defendant's motion for summary judgment and dismissed the complaint. Having now had the benefit of briefs and oral argument, we affirm.

In our view, plaintiff has not produced enough evidence of pretext to survive summary judgment. She claims that other employees — men — who had looked for work elsewhere were not fired, but her evidence of this is hearsay, based not upon her own personal knowledge but upon what others told her. There is evidence of sexist remarks made by persons in authority with the employer, but no such remarks were made by the person who made the decision to fire the plaintiff. The evidence here is simply not substantial enough to justify a jury verdict in plaintiff's favor, and it was therefore proper for the District Court to grant summary judgment for the defendant.

The case is not of sufficient precedential significance to justify a fuller discussion, and we therefore confine ourselves, in the interest of expedition, to this abbreviated opinion.

Affirmed.

A true copy.

Attest:

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

²The Hon. Ronald E. Longstaff, United States District Judge for the Southern District of Iowa.