

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 98-4212

Cozetta Ann Ausler,

Appellant,

v.

Arkansas Broadcasting Foundation,
doing business as KABF Community
Radio Station,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: August 4, 1999
Filed: August 16, 1999

Before McMILLIAN, RICHARD S. ARNOLD, and HANSEN, Circuit Judges.

PER CURIAM.

Cozetta Ann Ausler appeals from the district court's¹ order granting KABF Community Radio Station's motion for summary judgment, denying her motion to amend her complaint, and dismissing her Title VII action because she did not prove that KABF met the statutory definition of employer. She particularly complains that the district court did not require KABF to provide her with adequate discovery. Having

¹The Honorable Susan Webber Wright, Chief Judge, United States District Court for the Eastern District of Arkansas.

carefully reviewed the record and the parties' briefs and submissions on appeal, we conclude that dismissal was proper and that the district court did not abuse its discretion in denying Ausler's motion to amend or in dealing with discovery matters.

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

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