

Thompson v. Millard Public School District

Case Number

S-18-0140

Case Audio

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December 4, 2018

Court Number

Douglas

Case Location

Lincoln

Case Summary

S-18-0140 Kim M. Thompson (Appellant) v. Millard Public School District

Douglas County District Court, Judge Peter C. Bataillon

Attorneys: Abby Osborn, Joy Shiffermiller (Shiffermiller Law Office, P.C., L.L.O.) (Appellant) --- Duncan A. Young, Jeff C. Miller, Keith I. Kosaki (Young and White Law Office)(Appellee)

Civil: Employment discrimination; Breach of contract; Equal Pay Act

Proceedings below: A hearing was held in April 2016 and the trial court subsequently dismissed causes of action three through five of the Plaintiff's Amended Complaint. In October 2016, a hearing was held on Appellee's motion for summary judgment. A hearing was held in November 2016 on Plaintiff's motion to recuse the trial court judge. In January 2017, the trial court entered an order denying Plaintiff's motion to recuse. In May 2017, a hearing was held on the Appellee's motion for summary judgment on Appellant's Equal Pay Act claim and Appellant's renewed motion to recuse. In January 2018, an order of dismissal was entered.

Issues: Whether the district court erred 1) in failing to recuse himself from the proceedings; 2) in determining there was no genuine issue of material fact and that the Appellee was entitled to summary judgment; 3) in not viewing the facts in light of the non-moving party; 4) in applying the prohibited market forces theory in analyzing the Appellant's Equal Pay Act Claim; 5) in failing to find that there is a dispute as to material fact that Appellee's actions violated Appellant's right to be free from retaliation for engaging in a protected activity; and 6) in failing to find that there is a dispute as to material fact that Appellee's action violated Appellant's right to be free from discrimination, harassment, and a hostile work environment.
