

## Jennine DiSomma and Jakob Halpern Earn Another Dismissal of a Discrimination Lawsuit

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Saiber attorneys Jennine DiSomma and Jakob Halpern recently obtained a dismissal of an employment discrimination complaint filed against their client in the United States District Court for the Eastern District of New York. The plaintiff, a long-time employee of the healthcare provider, raised allegations of national origin and age discrimination and retaliation over a period of several years. Saiber moved to dismiss the Amended Complaint on the basis that the plaintiff's claims were barred by the statute of limitation and, even if they were timely, did not state a claim for any discrimination whatsoever.

Chief Judge Dora L. Irizarry of the Eastern District agreed with Saiber's arguments and dismissed plaintiff's federal discrimination claims *with prejudice*. In her opinion, Chief Judge Irizarry held that nearly all of the plaintiff's allegations were barred under the applicable statute of limitation. Chief Judge Irizarry also ruled that the plaintiff did not allege any acts which, collectively or individually, amounted to any discriminatory practice by Saiber's client, and that the plaintiff's termination was not discriminatory because all of the healthcare provider's employees, including him, were terminated when the employer's contract at the facility ended.

Ms. DiSomma and Mr. Halpern were joined on the successful brief by Alexander C. Banzhaf.