

Bailey and Bolger Obtain Summary Judgment

Dennis R. Bailey and Bethany L. Bolger obtain summary judgment for their client, Chiropractic Strategies Group, Inc., in the United State District Court for the Southern District of Alabama, Southern Division. The plaintiff alleged that Chiropractic Strategies Group, Inc. (CSG) willfully and maliciously subjected her to unlawful sexual harassment which affected the terms of her employment. She contended a chiropractor who formerly worked at CSG sexually harassed her. The next day she made her first and only complaint to CSG and resigned from her job. On March 3, 2011, the Court denied a motion for summary judgment filed by Kurtts and entered summary judgment for Chiropractic Strategies Group, Inc., as CSG was never given an opportunity to implement its policy against sexual harassment. The opinion correctly holds that an employer must be given notice and an opportunity to address sexual harassment claims before an employee resigns if the employee intends to assert claims for sexual harassment, discrimination, and retaliation.