UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 14th day of February, two thousand twelve.

PRESENT: BARRINGTON D. PARKER,
RICHARD C. WESLEY,
RAYMOND J. LOHIER, JR.,
Circuit Judges.

JENNIFER HEAPHY,

Plaintiff-Appellant,

-v.- 11-759-cv

WEBSTER CENTRAL SCHOOL DISTRICT,

Defendant-Appellee.

FOR APPELLANT: STEVEN E. LAPRADE (Christine A. Agola, *on the brief*), Christine A. Agola, PLLC, Brighton, N.Y.

FOR APPELLEE: MICHAEL P. McCLAREN (Ryan G. Smith, *on the brief*), Webster Szanyi LLP, Buffalo, N.Y.

Appeal from the United States District Court for the Western District of New York (Larimer, *J.*).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the judgment of the United States District Court for the Western District of New York be **AFFIRMED**.

Appellant appeals from a judgment of the United States District Court for the Western District of New York (Larimer, *J.*) that granted Defendant-Appellee Webster Central School District's (the "School District") motion for summary judgment. We assume the parties' familiarity with the underlying facts, the procedural history, and the issues presented for review.

We review a district court's grant of summary judgment *de novo* and draw all factual inferences in favor of the non-moving party. *See Paneccasio v. Unisource Worldwide, Inc.*, 532 F.3d 101, 107 (2d Cir. 2008). "Summary judgment is appropriate only if there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." *Kuebel v. Black & Decker Inc.*, 643 F.3d 352, 358 (2d Cir. 2011) (internal quotation marks omitted).

For substantially the same reasons set forth in the district court's thorough and well-reasoned decision and order, we conclude that the district court properly granted summary judgment to the School District on Plaintiff-

Appellant Jennifer Heaphy's claims of unlawful discrimination and retaliation.

For the foregoing reasons, the judgment of the district court is hereby **AFFIRMED**.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk