

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A RELATED CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL OR RES JUDICATA.

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, Foley Square, in the City of New York, on the 7th day of October, two thousand and four.

Present: HON. JON O. NEWMAN,
HON. JOSEPH M. McLAUGHLIN,
HON. RICHARD C. WESLEY,
Circuit Judges.

BARBARA J. FINNEY,

Plaintiff-Appellant,

- v -

(04-0229)

PLANNED PARENTHOOD OF NEW YORK CITY, INC.,

Defendant-Appellee.

Appearing for Plaintiff-Appellant: LEE NUWERSA, New York, NY.

Appearing for Defendant-Appellee: TERRI M. SOLOMON, Littler Mendelson, P.C., New York, NY (Jennifer L. Gillman, *of counsel*)

Appeal from the United States District Court for the Southern District of New York

