

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**THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY OTHER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 4th day of October, two thousand and four.

PRESENT:

HON. ELLSWORTH VAN GRAAFEILAND,  
HON. PIERRE N. LEVAL,  
HON. ROBERT A. KATZMANN,  
*Circuit Judges,*

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ROSALEE SCOTT,

*Plaintiff-Appellant,*

-v.-

SUMMARY ORDER  
No. 03-7578-cv

NEW YORK HEALTH AND HUMAN SERVICE UNION, 1199/SEIU,  
AFL-CIO, BETH ISRAEL MEDICAL CENTER,

*Defendants-Appellees.*

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APPEARING FOR APPELLANT: Rosalee Scott, *pro se*, New York, NY

APPEARING FOR APPELLEES: Richard Levy, Levy, Ratner, P.C., (Carl J. Levine, of counsel), New York, NY, for New York Health and Human Services Union 1199/SEIU, AFL-CIO, New York, NY

Rory J. McEvoy, Kirkpatrick & Lockhart LLP, New York, NY, for Beth Israel Medical Center

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

**UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the judgment of the District Court is **AFFIRMED**.

Rosalee Scott, *pro se*, appeals from the order of the district court (Keenan, *J.* S.D.N.Y), granting summary judgment to the defendants and dismissing Scott's complaint brought under the Labor Management Relations Act of 1947, 29 U.S.C. § 185, against her former employer, Beth Israel Medical Center, and her former union, New York Health and Human Services Union 1199/SEIU, AFL-CIO.

Upon review, we conclude that the district court did not err. Moreover, we do not consider those claims which were not presented to the district court and are presented here for the first time. *See Singleton v. Wulff*, 428 U.S. 106, 120-21 (1976); *Thomas E. Hoar, Inc. v. Sara Lee Corp.*, 900 F.2d 522, 527 (2d Cir. 1990).

\_\_\_\_\_ For the reasons set forth, we AFFIRM the order of the District Court.

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FOR THE COURT:  
Roseann B. MacKechnie, Clerk

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By: \_\_\_\_\_