

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-30395
Summary Calendar

TONI B. METCALF,

Plaintiff-Appellant,

VERSUS

LOUISIANA STATE UNIVERSITY MEDICAL CENTER; ET AL.,

Defendants,

GEORGE PRICE; LISA EBARB; MICHAEL CLARK; LOUISIANA STATE
UNIVERSITY AGRICULTURAL & MECHANICAL COLLEGE BOARD OF SUPERVISORS

Defendants-Appellees.

CHRISTI KENNEDY JAMES

Plaintiff-Appellant,

VERSUS

LOUISIANA STATE UNIVERSITY MEDICAL CENTER; ET AL.,

Defendants,

MICHAEL CLARK; LOUISIANA STATE UNIVERSITY AGRICULTURAL &
MECHANICAL COLLEGE BOARD OF SUPERVISORS,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana

(96-CV-2881)

December 24, 1998

Before DAVIS, DUHÉ, and PARKER, Circuit Judges.

PER CURIAM:*

Appellants Toni Metcalf and Christi Kennedy James appeal the dismissal without prejudice of their claims against supervisor Michael Clark and the granting of summary judgment in favor of the employer LSU Medical Center on their Title VII claims. Upon review of the record and briefs we find that the dismissal without prejudice on the claims against Michael Clark should be AFFIRMED. We further find that the summary judgment with respect to the Title VII claims against the employer LSU Medical Center should be VACATED and the case REMANDED in light of the Supreme Court decisions in *Faragher v. City of Boca Raton*, 118 S. Ct. 2275 (1998), and *Burlington Industries v. Ellerth*, 118 S. Ct. 2257 (1998), so as to allow the parties to brief and the district court to consider arguments pertaining thereto.

AFFIRMED IN PART; VACATED IN PART; REMANDED.

*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.