

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

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No. 04-1042

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

IGOR MOISEEFF,

Plaintiff-Appellant,

v.

DAIMLERCHRYSLER CORPORATION,

Defendant-Appellee.

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ON APPEAL FROM THE
UNITED STATES DISTRICT
COURT FOR THE EASTERN
DISTRICT OF MICHIGAN

OPINION

BEFORE: BATCHELDER, COLE, Circuit Judges, RUSSELL, District Judge*

PER CURIAM. Plaintiff-Appellant Igor Moiseeff appeals the district court's grant of summary judgment to Defendant-Appellee DaimlerChrysler Corporation in this case brought pursuant to the Family Medical Leave Act ("FMLA"). 29 U.S.C. § 2601 et seq. The district court found that Moiseeff did not establish a *prima facie* case of retaliation under the FMLA because he failed to show a causal connection between his FMLA-protected leave and his discharge. In the alternative, the court found that Moiseeff failed to show that DaimlerChrysler's legitimate, non-discriminatory reason for discharge was pretextual.

This Court reviews a district court's grant of summary judgment *de novo*. *McKay v. Toyota Motor Mfg., USA, Inc.*, 110 F.3d 369, 372 (6th Cir. 1997). We have reviewed the record and the parties' submissions. For substantially the same reasons set forth in the district court's

* The Honorable Thomas B. Russell of the United States District Court for the Western District of Kentucky, sitting by designation.

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comprehensive opinion dated November 21, 2003, we **AFFIRM** the grant of summary judgment.