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Opinions of the United  
States Court of Appeals  
for the Third Circuit

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3-14-2002

## Helfant v. Margate

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NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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NO. 01-1301

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RICHARD HELFANT,  
Appellant

v.

CITY OF MARGATE; FRED GOFF;  
THOMAS HILTNER; NED HUMPHREYS;  
SIGMUND RIMM; JOHN DOES 1 THROUGH 25,  
INCLUSIVE, FICTITIOUS NAMED DEFENDANTS,  
JOINTLY, SEVERALLY, AND IN THE ALTERNATIVE

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil No. 97-cv-03718)  
District Judge: Honorable Stephen M. Orlofsky

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Submitted Under Third Circuit LAR 34.1(a)  
on March 5, 2002

Before: ALITO, RENDELL, and HALL\*, Circuit Judges,

(Filed: March 13, 2002)

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OPINION OF THE COURT

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\*Honorable Cynthia Holcomb Hall, United States Circuit Judge for the Ninth Circuit, sitting by designation.  
RENDELL, Circuit Judge.

Richard Helfant brought this action against the City of Margate and several of its employees (together "Defendants") alleging employment discrimination and retaliation, including violations of his federal and state constitutional rights. The District Court entered summary judgment in favor of Defendants on all counts. Helfant now appeals.

The District Court had jurisdiction pursuant to 28 U.S.C. § 1331. We have

jurisdiction pursuant to 28 U.S.C. § 1291. We subject the District Court's grant of summary judgment to plenary review and will apply the same standards as the District Court. *Beers-Capitol v. Whetzel*, 256 F.3d 120, 130 n.6 (3d Cir. 2001).

Helfant alleges that Defendants' actions amounted to three separate legal violations: first, a violation of his rights to equal protection and substantive due process under both the United States and New Jersey Constitutions; second, employment discrimination in violation of the New Jersey Law Against Discrimination; and, third, retaliation against him for conduct protected by the Conscientious Employees' Protection Act. After conducting a careful review of the record in this case, we reach the same conclusions as set forth by the District Court in its thorough and well-reasoned opinion. The District Court carefully considered the merits of each count as it applied to each Defendant, and we find no fault with its analysis. Accordingly, we will affirm the District Court's grant of summary judgment in favor of Defendants.

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Please file the foregoing Not Precedential Opinion.

/s/ Marjorie O. Rendell

Circuit Judge