



2009 Decisions

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

4-28-2009

Tamara Klopfenstein v. Natl Sales & Sup

Precedential or Non-Precedential: Non-Precedential

Docket No. 08-2950

Follow this and additional works at: http://digitalcommons.law.villanova.edu/thirdcircuit_2009

Recommended Citation

"Tamara Klopfenstein v. Natl Sales & Sup" (2009). *2009 Decisions*. 1466.
http://digitalcommons.law.villanova.edu/thirdcircuit_2009/1466

This decision is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2009 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository. For more information, please contact Benjamin.Carlson@law.villanova.edu.

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 08-2950

TAMARA KLOPFENSTEIN,
Appellant

v.

NATIONAL SALES AND SUPPLY, LLC
t/d/b/a NATIONAL SALES AND SUPPLY

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
District Court No. 2-07-cv-04004
District Judge: The Honorable Berle M. Schiller

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
April 13, 2009

Before: McKEE, SMITH, *Circuit Judges*,
and STEARNS, *District Judge**

(Filed: April 28, 2009)

OPINION

SMITH, *Circuit Judge*.

*The Honorable Richard G. Stearns, District Judge for the United States District Court for Massachusetts, sitting by designation.

Tamara Klopfenstein filed a complaint in September of 2007 against her former employer, National Sales and Supply, LLC., alleging claims under Title VII of the Civil Rights Act of 1964 for gender discrimination, sexual harassment, and retaliation. After discovery closed, Klopfenstein filed a motion for partial summary judgment on her retaliation claim. National Sales filed a motion for summary judgment as to all of her employment discrimination claims. The District Court, in a well reasoned opinion, concluded that Klopfenstein had failed to establish a prima facie case for each of her claims. For that reason, the District Court denied Klopfenstein's motion and granted summary judgment on all of her claims in favor of National Sales. This timely appeal followed.¹

Klopfenstein argues that the District Court erred in granting summary judgment as to each of her claims. After de novo review of the record, we are not persuaded. For substantially the reasons set forth by the District Court, we will affirm the judgment of the District Court.

¹The District Court had jurisdiction over Klopfenstein's federal claims pursuant to 28 U.S.C. § 1331. We have final order jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over a grant of summary judgment. *Farrell v. Planters Lifesavers Co.*, 206 F.3d 271, 278 (3d Cir. 2000).