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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CONNIE WILLIAMS,

Plaintiff - Appellant,

v.

CITY OF LAS VEGAS,

Defendant - Appellee.

No. 08-16655

D.C. No. 2:06-cv-00886-BES-PAL

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Brian E. Sandoval, District Judge, Presiding

Argued and Submitted November 5, 2009
San Francisco, California

Before: HUG, RYMER and McKEOWN, Circuit Judges.

Connie Williams (“Williams”) appeals the district court’s grant of summary judgment in her action under Title VII, the Americans with Disabilities Act (“ADA”), and 42 U.S.C. § 1983 against her employer, the City of Las Vegas (“the

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

City”), for alleged retaliation and employment discrimination for refusal to accommodate her known disability, industrial reactive airway disease.

As a preliminary matter, counsel for Williams acknowledged at oral argument that Williams has abandoned her Title VII claims, and therefore, we decline to address those claims here.

As to Williams’s retaliation claim under the ADA, we do not need to reach the question of whether or not the filing of a workers’ compensation claim is a protected activity under the ADA, because Williams failed to establish a causal link between her asserted protected activity and any adverse employment action by the City. See Vasquez v. County of Los Angeles, 349 F.3d 634, 646 (9th Cir. 2003) (finding no causal link between the protected activity and adverse employment action).

As to Williams’s discrimination claim under the ADA, there is a dispute as to whether she administratively exhausted her claim. Even assuming, however, that she did exhaust her claim, Williams failed to offer any evidence that the City discriminated against her because of her disability. See Rodde v. Bonta, 357 F.3d 988, 995 (9th Cir. 2004) (listing requirements to establish ADA violation).

Finally, because the City did not violate the ADA or Title VII, Williams’s claim under 42 U.S.C. § 1983 is without merit.

AFFIRMED.