

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

ABE S. STRAHL,	:	
Plaintiff	:	
	:	
v.	:	Civil Action No. 3:98 CV 2042 (CFD)
	:	
MATLAW’S FOOD PRODUCTS, INC.,	:	
Defendant	:	

**RULING ON MOTION FOR SUMMARY JUDGMENT**

The plaintiff, Abe Strahl, brings this action against the defendant, Matlaw’s Food Products, Inc., alleging violations of the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 621 et seq. and the Connecticut Fair Employment Practices Act (“CFEPA”), Conn. Gen. Stat. § 46a-60(a)(1). He seeks damages, declaratory and injunctive relief, and attorney’s fees arising from the defendant’s termination of his employment. The defendant has filed a motion for summary judgment as to each of the plaintiff’s age discrimination claims.

In the context of a motion for summary judgment, the burden is on the moving party to establish that there are no genuine issues of material fact in dispute and that the moving party is entitled to judgment as a matter of law. See Fed. R. Civ. P. 56(c); Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 256 (1986). A court must grant summary judgment “if the pleadings, depositions, answers to interrogatories, and admissions on file, together with affidavits, if any, show that there is no genuine issue as to any material fact.” Miner v. City of Glens Falls, 999 F.2d 655, 661 (2d Cir. 1993) (internal quotation marks and citation omitted). In ruling on a motion for summary judgment, however, the Court resolves “all ambiguities and draw[s] all inferences in favor of the nonmoving party in order to determine how a reasonable jury would decide.” Aldrich v. Randolph Cent. Sch. Dist., 963 F.2d 520, 523 (2d Cir. 1992). Thus, “[o]nly

when reasonable minds could not differ as to the import of the evidence is summary judgment proper.” Bryant v. Maffucci, 923 F.2d 979, 982 (2d Cir. 1991), cert. denied, 502 U.S. 849 (1991); see also Suburban Propane v. Proctor Gas, Inc., 953 F.2d 780, 788 (2d Cir. 1992).

The Court concludes in this case that there are genuine issues of material fact as to each of the plaintiff’s age discrimination claims, including the following: (1) whether he has established that the defendant’s asserted justification for his termination is false; and (2) whether the plaintiff’s age was at least a motivating factor for the defendant’s termination of his employment. See Reeves v. Sanderson Plumbing Prods., Inc., 120 S. Ct. 2097, 2108-09 (2000); Carlton v. Mystic Transp., Inc., 202 F.3d 129, 134-35 (2d Cir. 2000). The defendant’s motion for summary judgment [Document #21] is therefore DENIED.

SO ORDERED this 7th day of February 2001, at Hartford, Connecticut.

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/s/  
Christopher F. Droney  
United States District Judge