

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 7, 2009

No. 08-10328

Charles R. Fulbruge III
Clerk

NORMAN UTLEY; JOHN ALVAREZ; LARRY BOYD;
RICHARD GARCIA; GORDON GUERRA; WALTER GOVE;
DANNY HUNTER; TOMMY MERRILL; ALFRED PRESSLER;
DEBRA MCIVER; VERONICA MONTICOLOMBI; MICHAEL SCHWARZ;
AARON SMITH; DAVID TUTTLE; JEFF VON SCHMITTOU,

Plaintiffs-Appellants,

versus

MCI, INC.; MCI WORLD COM COMMUNICATIONS, INC.;
MCI NETWORK SERVICES, INC.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
No. 3:05-CV-46

Before SMITH, GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:*

The plaintiffs are several of the thousands of employees laid off by MCI, Inc. (“MCI”), from 2001 through 2004 pursuant to reductions in force (“RIF’s”). They allege that they were chosen for the RIF’s because of their age, in violation of the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 623, and that MCI retaliated by failing to re-hire them after they had filed age discrimination claims with the Equal Employment Opportunity Commission. The district court entered summary judgment for MCI.

The district court carefully explained its ruling in an impressive opinion of more than one hundred pages. The court examined each plaintiff’s claim and analyzed why he or she is not entitled to relief. We have reviewed the briefs and applicable law and pertinent portions of the record and have heard the arguments of counsel. The judgment is AFFIRMED, essentially for the reasons given by the district court.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.