

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-31176
Summary Calendar

CAROL U. TRAHAN,

Plaintiff-Appellant,

VERSUS

CITY NATIONAL BANK OF BATON ROUGE, PAUL R. NOWACKI, and KOREEN H.
WALKER,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Louisiana
(96-CV-504-B-M2)

April 20, 1998

Before JOLLY, BENAVIDES, and PARKER, Circuit Judges.

PER CURIAM:*

Carol U. Trahan appeals the judgment of the district court granting defendants City National Bank of Baton Rouge, Paul R. Nowacki, and Koreen H. Walker summary judgment in this case under the Age Discrimination in Employment Act (ADEA) case. Finding no error, we affirm.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

It is undisputed that Trahan can state a *prima facie* case of age discrimination. In support of their summary judgment motion, the defendants offered as a legitimate non-discriminatory reason for Trahan's discharge that she was insubordinate. Because Trahan failed to provide sufficient summary judgment evidence to show that her age was a determinative factor in the decision to fire her, her claim must fail. See *Rhodes v. Guiberson Oil Tools*, 75 F.3d 989, 993-94 (5th Cir. 1996)(en banc). Although we may not agree that Trahan's conduct amounted to insubordination, Trahan nonetheless failed to show that her age played any factor in the decision to discharge her.

Moreover, Trahan's case against defendants Walker and Nowacki must also be dismissed because they were merely supervisory employees, not her employer. See *Stults v. Conoco, Inc.*, 76 F.3d 651, 655 (5th Cir. 1996) (holding that the ADEA provides no basis for individual liability for supervisory employees).

Accordingly, the judgment of the district court is AFFIRMED.