

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-40947

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SUSAN WILSON,

Plaintiff-Appellant/Cross-Appellee,

versus

CITY OF PLANO, TEXAS,

Defendant-Appellee/Cross-Appellant.

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Appeals from the United States District Court  
for the Eastern District of Texas

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January 7, 1999

ON REMAND FROM THE SUPREME COURT  
OF THE UNITED STATES

Before WIENER, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:

The Supreme Court vacated the judgment and remanded this case to our court for further consideration in the light of *Faragher v. City of Boca Raton*, 524 U.S. \_\_\_, 118 S. Ct. 2275 (1998), and *Burlington Industries, Inc. v. Ellerth*, 524 U.S. \_\_\_, 118 S. Ct. 2257 (1998). Concluding, in the light of those cases, that this case presents issues that the parties should be permitted to develop further, including through additional discovery and supplemented motions for summary judgment, but without in any way

intimating our view as to the merits of the claims by Susan Wilson,  
this case is **REMANDED** to the district court for further  
proceedings.

***REMANDED***