

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 92-2583

SUSAN J. STEVENS,

Plaintiff-Appellant,

versus

PAUL MICHAEL MANN, M.D., ETC.,
ET AL.,

Defendants-Appellees.

Appeal from the United States District Court for the
Southern District of Texas

(CA H-90-2175)
(October 13, 1993)

Before SNEED,* REYNALDO G. GARZA, and JOLLY, Circuit Judges.

PER CURIAM:**

Susan J. Stevens brought this action against Dr. Paul Michael Mann in the United States District Court for the Southern District of Texas, Houston Division under Title VII of the Civil Rights Act of 1964 and the Equal Pay Act with pendant claims under Texas law.

*Senior Circuit Judge of the United States Court of Appeals for the Ninth Circuit sitting by designation.

**Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

She alleged sex discrimination, sexual harassment, assault, invasion of privacy, and intentional infliction of emotional distress. The intentional infliction of emotional distress claim was dismissed by the trial judge at the close of Stevens's case, and Stevens abandoned her Equal Pay Act claim at the close of the evidence. The remaining state law issues were submitted to the jury for a binding verdict, and the Title VII claims were submitted to the jury for an advisory verdict. Dr. Mann prevailed on all issues before the jury, and the district court entered judgment for Dr. Mann on all claims, including the Title VII claim.

On appeal, Stevens contends that the trial court should be reversed because (1) the trial court erred by not entering any findings of fact and conclusions of law with respect to the Title VII claim; (2) the trial court erred by not properly instructing the jury and/or applying the law of Price Waterhouse v. Hopkins, 490 U.S. 228, 104 L.Ed.2d 268 (1989) with respect to the Title VII claim; (3) the trial court's finding with respect to both the Title VII sex discrimination and sexual harassment claims, which merely adopted the jury verdict, was clearly erroneous in the light of the evidence presented; (4) the jury's verdict on her invasion of privacy claim was against the great weight of the evidence; and (5) the trial court erred in failing to apply the Civil Rights Act of 1991 retroactively.

After study of the briefs, argument of counsel, and review of relevant parts of the record, we are convinced that the trial court

committed no reversible error and that the judgment is supported by the evidence. The district court is therefore

A F F I R M E D.