

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-30250
Summary Calendar

STEPHEN A. KLAIMON

Plaintiff - Appellant

versus

CIGNA COMPANIES, ET AL

Defendants

INSURANCE COMPANY OF NORTH AMERICA

Defendant - Appellee

- - - - -
STEPHEN A. KLAIMON

Plaintiff - Appellant

versus

INSURANCE COMPANY OF NORTH AMERICA

Defendant - Appellee

No. 97-30375
Summary Calendar

STEPHEN A. KLAIMON

Plaintiff - Appellant

versus

CIGNA COMPANIES, ET AL

Defendants

INSURANCE COMPANY OF NORTH AMERICA

Defendant - Appellee

- - - - -

STEPHEN A. KLAIMON

Plaintiff - Appellant

versus

INSURANCE COMPANY OF NORTH AMERICA

Defendant - Appellee

Appeals from the United States District Court
for the Eastern District of Louisiana
(95-CV-3597-J & 96-CV-3457-J)

February 19, 1998

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

Stephen A. Klaimon appeals from summary judgment orders entered against him on his Title VII and negligent and intentional infliction of emotional distress claims, as well as from an adverse jury verdict on a defamation claim. We affirm.

The district court properly entered summary judgment against Klaimon on his Title VII claim. As we have long stressed, the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

filing of a charge with the EEOC is a prerequisite to instituting a Title VII action in federal court. See National Ass'n of Govern. Emp. v. City Pub. Serv. Bd., 40 F.3d 698, 711 (5th Cir. 1994). Klaimon makes conclusory allegations that he pursued relief administratively, yet he produced no record evidence to that effect. Nor has he demonstrated an equitable entitlement to relief from the administrative exhaustion requirement. Accordingly, his Title VII claim is barred.

Likewise, the district court properly granted summary judgment against Klaimon on his intentional and negligent infliction of emotional distress claims. Klaimon's complaint did not allege so egregious a course of conduct on the part of the defendant to satisfy Louisiana's strict standards for employment-related intentional infliction of emotional distress claims. See Booth v. Intertrans Corp., 1995 WL 324631, at *17 (E.D. La. May 26, 1995). Similarly, Klaimon has failed to demonstrate how his negligent infliction of emotional distress claim is not barred by Louisiana's workers' compensation scheme. See La. R.S. 23:1032.

Finally, Klaimon raises a number of challenges to the district court's discovery rulings and the outcome of the trial. We find that the district court did not abuse its discretion in making its discovery orders. See Krim v. BancTexas Group, Inc., 989 F.2d 1435, 1441 (5th Cir. 1993). Klaimon's complaints about the jury verdict are largely unsupported by record evidence or legal

argument and accordingly are without merit. See Yohey v. Collins,
985 F.2d 222, 225 (5th Cir. 1993).

AFFIRMED.