

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

George Price v. Palm City Golf, LLC

Price · No. 24-14141-CIV-CANNON/McCabe · Decided March 12, 2026

SUMMARY

The United States District Court for the Southern District of Florida accepted a magistrate judge’s Report and Recommendation and denied Palm City Golf, LLC’s motion for summary judgment in George Price’s ADEA and FCRA age-discrimination action. The court held that genuine disputes of material fact remained regarding whether an older employee performed duties comparable to those of the plaintiff and whether the defendant’s stated reasons for termination were pretextual. The court overruled the defendant’s objection, lifted the stay of deadlines, and directed the parties to file an updated joint scheduling report.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	March 12, 2026
DOCKET	24-14141-CIV-CANNON/McCabe
DISPOSITION	other
PROCEDURAL POSTURE	Defendant objected to a magistrate judge's report and recommendation recommending denial of defendant's motion for summary judgment in an age-discrimination action. The district court conducted de novo review of the properly objected-to portions, accepted the report and recommendation, overruled the objection, and denied summary judgment.
STANDARD OF REVIEW	The district court reviews properly objected-to portions of a magistrate judge's report and recommendation de novo and may accept, reject, or modify the recommendation. For summary judgment, the court views evidence in the light most favorable to the nonmovant, draws justifiable inferences in that party's favor, and may not weigh evidence or make credibility determinations.
PRECEDENTIAL VALUE	unknown
PARTIES	Palm City Golf, LLC v. George Price

TOPICS

age discrimination

summary judgment

employment discrimination

civil procedure

PRACTICE AREAS

employment law

civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's report and recommendation recommending denial of defendant's motion for summary judgment should be accepted after defendant objected to the treatment of Charlie Nardi's supplemental affidavit.
2. Whether genuine disputes of material fact concerning the scope of Nardi's duties, the reassignment of Price's duties, pretext, and causation precluded summary judgment on Price's ADEA and FCRA age-discrimination claims.

HOLDINGS

1. The district court accepted the magistrate judge's report and recommendation and overruled defendant's objection because the objection did not demonstrate error in the report's consideration of the summary judgment record.
2. Summary judgment was inappropriate because genuine disputes of material fact existed concerning whether defendant's asserted financial reason for terminating Price was pretextual and whether Price's age was the but-for cause of his termination.
3. The ADEA and FCRA age-discrimination claims are analyzed under the same framework and require proof that age was the but-for cause of the adverse employment action.

KEY QUOTATIONS

"The Court is not at liberty to resolve that credibility-laden fact question on summary judgment."

FACTUAL BACKGROUND

George Price worked as a clubhouse manager for Palm City Golf Club from June 2020 until his termination in May 2022. He alleged that the termination violated the ADEA and FCRA because of his age, while defendant asserted that it terminated him for financial reasons and necessary cost reductions. The parties disputed whether Charlie Nardi, an older employee who was not terminated, performed duties comparable to Price's front-facing duties, and whether a substantially younger employee, Anders Goldkuhl, assumed most of those duties after Price's termination.

PROCEDURAL HISTORY

George Price sued Palm City Golf, LLC under the Age Discrimination in Employment Act and the Florida Civil Rights Act after his termination. Following discovery, defendant moved for summary judgment, and the motion was referred to Magistrate Judge McCabe, who recommended denial based on genuine disputes concerning

pretext and whether plaintiff's age caused his termination. The district court accepted the recommendation, overruled defendant's objection concerning a supplemental affidavit, denied summary judgment, lifted the stay of deadlines, and ordered the parties to file an updated joint scheduling report.

DISPOSITION

other

CASES CITED

- Macort, 208 F. App'x 781, 784 (11th Cir. 2006)
- Quigg v. Thomas Cnty. Sch. Dist., 814 F.3d 1227, 1235 (11th Cir. 2016)
- Tolan v. Cotton, 572 U.S. 650, 651 (2014)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986)
- Mazzeo v. Color Resols. Int'l, LLC, 746 F.3d 1264, 1266 (11th Cir. 2014)
- Mora v. Jackson Mem'l Found., Inc., 597 F.3d 1201, 1204 (11th Cir. 2010)
- Perry v. City of Avon Park, Florida, 662 F. App'x 831, 836 (11th Cir. 2016)

OPINION

Price

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

FORT PIERCE DIVISION

CASE NO. 24-14141-CIV-CANNON/McCabe

GEORGE PRICE,

Plaintiff, v.

PALM CITY GOLF, LLC,

a Florida Limited Liability Company, Defendant. _____/

ORDER ACCEPTING REPORT AND RECOMMENDATION AND DENYING

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

THIS CAUSE comes before the Court upon Defendant Palm City Golf, LLC's Motion for Summary Judgment (the "Motion") [ECF No. 37], Plaintiff's Opposition [ECF No. 44], Defendant's Reply [ECF No. 48], Magistrate Judge McCabe's Report and Recommendation (the "Report") [ECF No. 52], Defendant's Objection to the Report [ECF No. 53], Plaintiff's Response to Defendant's Objection [ECF No. 54], and Defendant's Sur-Reply [ECF No. 61]. Following review of the foregoing filings and the full summary judgment record, the Report is ACCEPTED, and Defendant's Motion is DENIED.

BACKGROUND

Plaintiff George Price worked for Defendant Palm City Golf Club as a clubhouse manager from

June 2020 until his termination in May 2022 [ECF No. 41]. Approximately two years after his termination, Plaintiff brought the instant age discrimination lawsuit, alleging violations of the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 626(b)–(c); 29 U.S.C. § 623(a)(1), and the Florida Civil Rights Act (“FCRA”), Fla. Stat. § 760.10(1)(a). Following discovery, Defendant timely moved for summary judgment, arguing that Plaintiff’s age was not the but-for cause of his termination and that, instead, Plaintiff was terminated solely for financial reasons and necessary cost reductions [ECF No. 37]. The Court referred the Motion to Magistrate Judge McCabe [ECF No. 51], who ultimately issued a Report recommending denial of summary judgment [ECF No. 52]. The Report reasons that genuine issues of material fact preclude summary judgment as to whether Defendant terminated Plaintiff due to his age, citing evidence of alleged pretext in Defendant’s proffered nondiscriminatory reason [ECF No. 52 pp. 7–8]. Defendant filed a timely Objection to the Report [ECF No. 53]. The core of Defendant’s Objection is that Magistrate Judge McCabe did not sufficiently consider the factual assertions in a Supplemental Affidavit of Charlie Nardi, a part-time employee who is older than Plaintiff and was not terminated [ECF No. 53]. The Affidavit states that Nardi worked as a “front facing” employee at the golf club—not as a “back-office employee” as argued by Plaintiff and reiterated in the Report [ECF No. 52 p. 8]. Therefore, says Defendant, Plaintiff’s theory of age discrimination fails because Defendant maintained an older employee in a similar “front facing” role as held by Plaintiff [see also ECF No. 61]. Plaintiff responds to Defendant’s Objection by pointing to other evidence in the summary judgment record, including the testimony of another witness (Anders Goldhkuhl) who rebuts Defendant’s suggestion that Nardi had so-called “front facing duties” either before or after Plaintiff’s termination [ECF No. 54]. The Report is ripe for adjudication.

LEGAL STANDARDS

To challenge a magistrate judge’s proposed findings and recommendations, a party Inc., 208 F. App’x 781, 784 (11th Cir. 2006). The Court reviews de novo any portion of the report properly objected to and may accept, reject, or modify the recommendation. 28 U.S.C. § 636(b)(1). When no specific objection is lodged, the Court may accept the recommendation if there is no clear error on the face of the record. *Macort*, 208 F. App’x at 784.1 B. Summary Judgment Summary judgment is appropriate only if the movant shows there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(a). A genuine issue exists when a reasonable jury could return a verdict for the nonmoving party. See, e.g., *Quigg v. Thomas Cnty. Sch. Dist.*, 814 F.3d 1227, 1235 (11th Cir. 2016). The Court must view the evidence in the light most favorable to the nonmovant and draw all justifiable inferences in that party’s favor. See, e.g., *Tolan v. Cotton*, 572 U.S. 650, 651 (2014). The Court may not weigh evidence or make credibility determinations at this stage. See *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 255 (1986). C. ADEA and FCRA Proof Frameworks The ADEA prohibits an employer from terminating an employee aged 40 or older because of the employee’s age. 29 U.S.C. §§ 623(a)(1), 631(a). The FCRA similarly prohibits discharging an employee based on age. Fla. Stat.

§ 760.10(1)(a). Courts analyze ADEA and FCRA claims in tandem under the same analytical framework. *Mazzeo v. Color Resols. Int'l, LLC*, 746 F.3d 1264, 1266 (11th Cir. 2014). Both statutes require proof that age was the “but- for” cause of the adverse employment action—that is, that the action would not have occurred absent the discriminatory motive. *Mora v. Jackson Mem’l Found., Inc.*, 597 F.3d 1201, 1204 (11th Cir. 2010); *Perry v. City of Avon Park, Florida*, 662 F. App’x 831, 836 (11th Cir. 2016).

DISCUSSION

Defendant’s Objection to the Report—which focuses narrowly on the consideration of the Supplemental Affidavit of Charlie Nardi [ECF No. 53 ¶¶ 6–7]—fails to show error in the Report. The Report considered the full summary judgment record and concluded correctly that genuine issues of material fact preclude summary judgment on Plaintiff’s claims of age discrimination. That determination remains correct, even placing greater emphasis on Nardi’s Supplemental Affidavit. This is because, as a matter of summary judgment, Plaintiff still has provided sufficient evidence from which a reasonable juror could conclude that Nardi did not work in a front-facing role and did not assume Plaintiff’s front-facing duties after Plaintiff’s termination. That evidence consists, for example, of an Affidavit from Anders Goldkuhl, a substantially younger employee, who avers that he took over the bulk of Plaintiff’s front-facing duties, not Nardi; that the only duty Nardi subsumed was payroll; that Nardi’s role was “not even close” to Plaintiff’s responsibilities and did not include managing or coordinating clubhouse social events [ECF No. 48-1 pp. 136, 138]; and that Goldkuhl, contrary to Nardi’s suggestion, maintained all of the job duties of Goldkuhl’s previous role [ECF No. 44 ¶¶ 17– 18; ECF No. 48-1 p. 99]. Plaintiff also testified himself during his deposition that Nardi worked merely in a back-office capacity, without meaningful engagement with membership [ECF No. 37-3 pp. 54, 62]. In short, there remains a genuine factual dispute as to the scope or existence of Nardi’s “front facing” role, and that dispute matters to the ultimate question of alleged age discrimination in this case and to the validity of Defendant’s proffered non- discriminatory reason(s) for terminating Plaintiff. The Court is not at liberty to resolve that credibility-laden fact question on summary judgment. See, e.g., *Anderson*, 477 U.S. at 255. CASE NO. 24-14141-CIV-CANNON/McCabe

CONCLUSION

Accordingly, it is ORDERED AND ADJUDGED as follows:

1. Magistrate Judge McCabe’s Report and Recommendation [ECF No. 52] is ACCEPTED.
2. Defendant’s Objection to the Report and Recommendation [ECF No. 53] is OVERRULED.
3. Defendant’s Motion for Summary Judgment [ECF No. 37] is DENIED.
4. The prior stay of deadlines is hereby LIFTED [ECF No. 50].
5. On or before March 13, 2026, the parties shall meaningfully confer and file an updated Joint Scheduling Report with proposed remaining deadlines for pre-trial filings and trial. Any

disagreements can be denoted separately.

6. The status conference remains scheduled for March 16, 2026, at 9:30 a.m.

ORDERED in Chambers at Fort Pierce, Florida, this 11th day of March 2026.

UNITED STATES DISTRICT JUDGE

cc: counsel of record