

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAKE CHARLES DIVISION

Clifton J. Pappion v. Phillips 66 Company

Pappion v. Phillips 66 Co. · No. 2:19-CV-01098 · Decided December 16, 2025

SUMMARY

The court denied Plaintiff Clifton J. Pappion’s motion for summary judgment and granted Phillips 66 Company’s motion for summary judgment in an action alleging race discrimination and retaliation under Title VII. The court held that Pappion failed to establish the required causal connection for his retaliation claims and failed to establish a prima facie case or show pretext for his race-discrimination claims concerning a promotion and disciplinary action. All claims were dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lake Charles Division
WRITING FOR THE COURT	James D. Cain, Jr.
JURISDICTION	United States District Court for the Western District of Louisiana, Lake Charles Division
DECIDED	December 16, 2025
DOCKET	2:19-CV-01098
DISPOSITION	dismissed
PROCEDURAL POSTURE	Cross-motions for summary judgment in an employment- discrimination and retaliation action under Title VII.
STANDARD OF REVIEW	Summary judgment is proper when the movant shows that no genuine dispute as to any material fact exists and that the movant is entitled to judgment as a matter of law. The court views evidence and reasonable inferences in the nonmovant's favor, may not weigh evidence or make credibility determinations, and grants judgment when the evidence would not permit a reasonable trier of fact to find for the nonmovant.
PRECEDENTIAL VALUE	unpublished
PARTIES	Clifton J. Pappion v. Phillips 66 Company

TOPICS

employment discrimination

title vii

retaliation

summary judgment

civil procedure

PRACTICE AREAS

employment law

civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether Pappion established a prima facie case of retaliation based on his nonselection for the 2018 shift team lead position.
2. Whether Pappion's retaliation claims based on earlier promotion denials were timely.
3. Whether Pappion established a prima facie case of retaliation based on his 2021 discipline and demotion.
4. Whether Pappion established a prima facie case of race discrimination based on his nonselection for the shift team lead position.
5. Whether Pappion established a prima facie case of race discrimination based on the disciplinary action and demotion.

HOLDINGS

1. Any claims based on promotion denials occurring before 2018 were untimely because Pappion did not timely file an EEOC charge concerning those discrete employment actions.
2. Pappion failed to establish a prima facie retaliation claim because the five-year interval between his 2013 EEOC charge and the 2018 promotion decision was too attenuated to establish causation.
3. Pappion failed to establish retaliation based on his 2021 discipline and demotion because the 2013 EEOC charge had no causal connection to the 2021 adverse employment action.
4. Pappion failed to establish a prima facie case of race discrimination concerning the shift team lead position and, alternatively, Phillips 66 articulated a legitimate, nondiscriminatory reason for selecting the coworker.
5. Pappion failed to establish race discrimination because the coworker's conduct was not similarly situated and was not a safety violation.

KEY QUOTATIONS

“A court should grant a motion for summary judgment when the movant shows “that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“The defendant does not have to make proper decisions, only nondiscriminatory ones.”

FACTUAL BACKGROUND

Pappion worked for Phillips 66 at its Lake Charles refinery beginning in 1994, but took multiple extended medical leaves and was required to undergo refresher training and requalification. In 2018, he applied for a shift team lead position, but Phillips 66 selected a coworker who received a better interview score and was viewed as

more qualified. In 2021, Pappion threw two metal covers from a structure approximately sixty feet high during a cleanup activity; after an investigation, Phillips 66 issued a final warning, suspended him for three days, removed him from the Top Operator position, and required retraining. Pappion alleged that the promotion decision and discipline were motivated by race discrimination and retaliation for his 2013 EEOC charge.

PROCEDURAL HISTORY

Pappion filed suit after receiving an EEOC right-to-sue letter concerning his 2018 nonselection for a shift team lead position. He later filed a supplemental complaint concerning discipline, demotion, and loss of pay following a 2021 safety incident. Both parties moved for summary judgment; the court denied Pappion's motion, granted Phillips 66's motion in its entirety, and dismissed all claims with prejudice.

DISPOSITION

dismissed

CASES CITED

- Tubacex, Inc. v. M/V Risan, 45 F.3d 951, 954 (5th Cir.)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-49 (1986)
- State Farm Life Ins. Co. v. Gutterman, 896 F.2d 116, 118 (5th Cir.)
- Reeves v. Sanderson Plumbing Prods., Inc., 530 U.S. 133, 150 (2000)
- Clift v. Clift, 210 F.3d 268, 270 (5th Cir.)
- Brumfield v. Hollins, 551 F.3d 322, 326 (5th Cir.)
- Johnson v. Iberia Med. Ctr. Found., 2023 WL 1090167, at *6-8 (W.D. La. Jan. 27, 2023)
- Richard v. La. Dept Children & Fam. Services, 2022 WL 3328978, at *6 (W.D. La. Aug. 11, 2022)
- Zamora v. City of Houston, 798 F.3d 326, 335 (5th Cir.)
- Anderson v. LaSalle Mgt. Co. LLC, 2023 WL 3952360, at *11 (W.D. La. June 12, 2023)
- Washburn v. Harvey, 504 F.3d 505, 511 (5th Cir.)
- Clark County School Dist. v. Breeden, 532 U.S. 268, 273-74 (2001)
- Hypolite v. City of Houston, Tex., 493 Fed. Appx. 597, 607 (5th Cir.)
- Smith v. Gen. Motors, L.L.C., 2025 WL 1693524, at *3-4 (5th Cir. June 17, 2025)
- Bardell v. Jefferson Par. Sch. Bd., 2024 WL 3408621, at *4 (5th Cir. July 15, 2024)
- McDonnell Douglas v. Green, 411 U.S. 792 (1973)
- Guillory v. Dwight, 2024 WL 326651, at *6 (W.D. La. Jan. 29, 2024)
- Price v. Federal Exp. Corp., 283 F.3d 715, 720 (5th Cir.)
- Williams v. Louisiana, 2017 WL 359218, at *6 (W.D. La. Jan. 24, 2017)
- Inocencio v. Montalvo, 774 Fed. Appx. 824, 833 (5th Cir.)
- Lawson v. PHC Minden, L.P., 2018 WL 4343420, at *6 (W.D. La. Sept. 11, 2018)
- Jordan v. Cleco Corp., 2013 WL 673438, at *4 (W.D. La. Feb. 22, 2013), aff'd, 542 Fed. Appx. 337 (5th Cir.)

- Heard v. United Parcel Serv., Inc., 2012 WL 399213, at *7 (W.D. La. Feb. 7, 2012)
- Alvarado v. Tex. Rangers, 492 F.3d 605, 611 (5th Cir.)

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