

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, LOUISVILLE DIVISION

Dillon Thompson v. Louisville Jefferson County Metro Government

Civil Action No. 3:24-cv-00243-RGJ-CHL · No. 3:24-cv-00243-RGJ-CHL · Decided June 16, 2026

SUMMARY

The United States District Court for the Western District of Kentucky considers Louisville/Jefferson County Metro Government’s motion for summary judgment in Dillon Thompson’s action concerning alleged FMLA interference, labor-contract violations, ADA violations, and punitive damages. The court grants in part and denies in part the motion. The excerpt addresses, among other issues, whether Thompson or his son had an FMLA-qualifying serious health condition and whether Thompson provided sufficient notice of intended FMLA leave.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky, Louisville Division
JURISDICTION	United States District Court for the Western District of Kentucky, Louisville Division
DECIDED	June 16, 2026
DOCKET	3:24-cv-00243-RGJ-CHL
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for summary judgment on claims for FMLA interference, breach of contract, ADA associational discrimination, and punitive damages.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 56, summary judgment is proper when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The evidence must be viewed in the light most favorable to the nonmoving party, with reasonable inferences drawn in that party's favor.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion and order

TOPICS

- summary judgment
- family and medical leave act
- ada / disability
- disability discrimination
- civil procedure

PRACTICE AREAS

employment law

civil rights

disability discrimination

family and medical leave act

civil procedure

QUESTIONS PRESENTED

1. Whether Thompson presented evidence sufficient to establish a prima facie case of FMLA interference, including entitlement to FMLA leave, adequate notice, and denial of FMLA benefits.
2. Whether summary judgment was appropriate on Thompson's breach-of-contract claim where Thompson did not oppose dismissal.
3. Whether Metro was entitled to summary judgment on Thompson's ADA associational-discrimination claim when Metro addressed only a failure-to-accommodate theory in its motion.
4. Whether Thompson presented evidence that Metro acted with the malice or reckless indifference required for ADA punitive damages.

HOLDINGS

1. Metro was entitled to summary judgment because Thompson failed to establish a prima facie case of FMLA interference. He did not show that he or his son had a qualifying serious health condition, did not provide timely and procedurally compliant notice of the March 10 absence, and did not show denial of an FMLA benefit to which he was entitled.
2. Metro was entitled to summary judgment on the breach-of-contract claim because Thompson did not oppose dismissal.
3. Metro was not entitled to summary judgment on the ADA associational-discrimination claim. Metro's motion addressed a failure-to-accommodate theory rather than the associational-discrimination claim actually pleaded, and Metro therefore waived its arguments directed to the actual claim. In any event, Thompson presented sufficient evidence to create a genuine dispute regarding whether his son's impairments qualified as a disability and whether the elements of associational discrimination could be met.
4. Metro was entitled to summary judgment on Thompson's punitive-damages claim because Thompson presented no evidence that Metro discriminated with malice or reckless indifference to his federally protected rights.

KEY QUOTATIONS

“The record reflects that Thompson’s son has not been diagnosed with any chronic conditions.”

“Accordingly, Metro’s failure to challenge Thompson’s actual claim in the motion for summary judgment constitutes waiver and alone could be grounds for denying summary judgment.”

“For the reasons above, the Court GRANTS Metro’s motion for summary judgment [DE 41] as to Counts I, III, and V. The Court DENIES summary judgment as to Count IV.” (24)

FACTUAL BACKGROUND

Thompson was an LMPD officer who transferred to the Traffic Unit and missed portions of required training, including a day when he stayed home to care for his sick son. He did not notify his supervisor as required by LMPD policy, submitted overtime for a day on which he left training early, and had inaccurate timekeeping records; an internal investigation also found that he had initialed an attendance record for a day he was absent. After LMPD notified him of its intent to terminate him, Thompson resigned in lieu of termination. His son had repeated short-term illnesses but had not been diagnosed with a chronic condition or disability.

PROCEDURAL HISTORY

Thompson filed a second amended complaint against Louisville Jefferson County Metro Government. Metro moved for summary judgment. The court granted the motion as to the FMLA interference, breach of contract, and punitive-damages claims, and denied it as to the ADA associational-discrimination claim.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 251-52, 256 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Sagan v. United States, 342 F.3d 493, 497 (6th Cir.)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986)
- Midwest Media Property, L.L.C. v. Symmes Township, Ohio, 503 F.3d 456, 469 (6th Cir. 2007)
- Kendall v. Hoover Co., 751 F.2d 171, 174 (6th Cir.)
- Shreve v. Franklin County, Ohio, 743 F.3d 126, 136 (6th Cir.)
- Emmons v. McLaughlin, 874 F.2d 351, 353 (6th Cir.)
- Edgar v. JAC Products, Inc., 443 F.3d 501, 507 (6th Cir.)
- Arban v. Western Publishing Corp., 345 F.3d 390, 401 (6th Cir.)
- McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)
- Donald v. Sybra, Inc., 667 F.3d 757, 762 (6th Cir.)
- Clemons v. Hillshire Brands Co., No. 23-5622, 2024 WL 3355379, at *2 (6th Cir. Apr. 11, 2024)
- Demyanovich v. Cadon Plating & Coatings, L.L.C., 747 F.3d 419, 427 (6th Cir.)
- Beaver v. RGIS Inventory Specialists, Inc., 144 F. App'x 452, 456 (6th Cir.)
- Brannon v. OshKosh B'Gosh, Inc., 897 F. Supp. 1028, 1035-36 (M.D. Tenn.)
- Miles v. Nashville Electric Service, 525 F. App'x 382, 385-86 (6th Cir.)
- Brohm v. JH Properties, Inc., 149 F.3d 517, 523 (6th Cir.)
- Brenneman v. MedCentral Health System, 366 F.3d 412, 421 (6th Cir.)
- Hammon v. DHL Airways, Inc., 165 F.3d 441, 451 (6th Cir.)
- George v. Russell Stover Candies, Inc., 106 F. App'x 946, 949 (6th Cir.)
- Perry v. American Red Cross Blood Services, 651 F. App'x 317, 328 (6th Cir.)

- Cundiff v. Lenawee Stamping Corp., 597 F. App'x 299, 300 (6th Cir.)
- Wysong v. Dow Chemical Co., 503 F.3d 441, 447 (6th Cir.)
- Srouder v. Dana Light Axle Manufacturing, LLC, 725 F.3d 608, 614 (6th Cir.)
- Palazzo v. Harvey, 380 F. Supp. 3d 723, 730 (M.D. Tenn.)
- American Family Prepaid Legal Corp. v. Columbus Bar Association, 498 F.3d 328, 335 (6th Cir.)
- Ryan v. Hazel Park, 279 F. App'x 335, 339 (6th Cir.)
- Stansberry v. Air Wisconsin Airlines Corp., 651 F.3d 482, 487 (6th Cir.)
- Hrdlicka v. General Motors, LLC, 63 F.4th 555, 568 (6th Cir.)
- Gruener v. Ohio Casualty Insurance Co., 510 F.3d 661, 664 (6th Cir.)
- Sullivan v. River Valley School District, 197 F.3d 804, 810 (6th Cir.)
- Bates v. Dura Automotive Systems, Inc., 767 F.3d 566, 583 (6th Cir.)
- Kolstad v. American Dental Association, 527 U.S. 526, 535-36 (1999)
- Preferred Properties, Inc. v. Indian River Estates, Inc., 276 F.3d 790, 799 (6th Cir.)