

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Barbara Green v. General Motors

Green · No. 24-CV-33 (JLS) (MJR) · Decided April 21, 2026

SUMMARY

The United States District Court for the Western District of New York adopts a magistrate judge’s Report and Recommendation and grants General Motors’ motion for summary judgment in Barbara Green’s New York State Human Rights Law retaliation action. The court rejects Green’s objections concerning the applicable retaliation standard, factual disputes, pretext, retaliatory animus, and evidentiary issues, and directs the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	John L. Sinatra, Jr.
JURISDICTION	United States District Court for the Western District of New York
DECIDED	April 21, 2026
DOCKET	24-CV-33 (JLS) (MJR)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a New York State Human Rights Law retaliation claim in state court. Defendant removed the action to federal court and moved for summary judgment. After a magistrate judge recommended granting the motion, plaintiff objected and the district court conducted de novo review of the challenged portions of the recommendation.
STANDARD OF REVIEW	The district court conducts de novo review of portions of a magistrate judge's report and recommendation to which a party objects. No review is required for portions to which no objection is made. The court applied the summary-judgment disposition recommended in the R&R.
PRECEDENTIAL VALUE	unknown
PARTIES	Barbara Green v. General Motors

TOPICS

retaliation

employment discrimination

summary judgment

civil procedure

PRACTICE AREAS

employment law

civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether the district court properly reviewed the magistrate judge's Report and Recommendation after Green objected to portions of it.
2. Whether General Motors was entitled to summary judgment on Green's New York State Human Rights Law retaliation claim.

HOLDINGS

1. A district court must conduct de novo review of those portions of a magistrate judge's recommendation to which a party objects, while no review is required for portions to which no objections are raised.
2. General Motors was entitled to summary judgment, and the magistrate judge's recommendation to grant the motion was accepted and adopted.

KEY QUOTATIONS

“Based on its de novo review, the Court accepts and adopts Judge Roemer’s recommendation. For the reasons above and in the R&R, Defendant’s [20] motion for summary judgment is GRANTED. The Clerk of Court shall close this case.”

FACTUAL BACKGROUND

Green alleged that General Motors retaliated against her for opposing discrimination in violation of the New York State Human Rights Law. Her objections focused on the allegedly retaliatory August 27, 2020 discipline, evidence of pretext and retaliatory animus, disparate treatment, internal reactions to her protected activity, and evidence submitted in opposition to summary judgment. The district court did not independently recite the underlying factual record and instead adopted the magistrate judge's recommendation.

PROCEDURAL HISTORY

Barbara Green filed the action in Erie County Supreme Court on August 30, 2023, and General Motors removed it to the Western District of New York on January 8, 2024. The case was referred to Magistrate Judge Michael J. Roemer, who issued a January 29, 2026 Report and Recommendation recommending summary judgment for General Motors. Green objected, but the district court accepted and adopted the recommendation, granted General Motors's motion for summary judgment, and directed the Clerk to close the case.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149-50 (1985)

OPINION

Green

PER CURIAM.

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UNITED STATES DISTRICT COURT SS

WESTERN DISTRICT OF NEW YORK APR 7 1 2026

_____ Mop. a Oe BARBARA GREEN, OR vosrai Plaintiff,

v. 24-CV-33 (JLS) (MJR)

GENERAL MOTORS,

Defendant.

DECISION AND ORDER

Plaintiff Barbara Green filed a complaint in Supreme Court, Erie County on August 30, 2023, asserting a claim for retaliation for opposing discrimination in violation of the New York State Human Rights Law. See Dkt. 1-1. Defendant removed the action to this Court on January 8, 2024. Dkt. 1. The case has been referred to United States Magistrate Judge Michael J. Roemer for all proceedings under 28 U.S.C. §§ 636(b)(1)(A), (B), and (C). Dkt. 7. Defendant moved for summary judgment on March 5, 2025. Dkt. 20. Plaintiff opposed the motion, Dkt. 23, and Defendant replied. Dkt. 26. On January 29, 2026, Judge Roemer issued a Report and Recommendation (“R&R”) recommending that this Court grant Defendant’s motion. Dkt. 28. Plaintiff objected to the R&R. Dkt. 31. She argues that “R&R errs by: (1) misapplying the New York State Human Rights Law’s (NYSHRL’ post-2019 retaliation standard, including its ‘reasonably likely to deter’ and ‘played any part’ causation standards; (2) resolving factual disputes and making impermissible credibility determinations regarding Ms. Green’s August 27, 2020 discipline; (3) discounting evidence of pretext and retaliatory animus, including disparate treatment and the record of internal reactions to Ms. Green’s protected activity; and (4) improperly excluding credible evidence Ms. Green submitted in opposition to Defendant’s motion.” Id. at 5. Defendant opposed the objections, Dkt. 35, and Plaintiff replied. Dkt. 36. A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(8). A district court must conduct a de novo review of those portions of a magistrate judge’s recommendation to which a party objects. See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). But neither 28 U.S.C. § 636 nor Federal Rule of Civil Procedure 72 requires a district court to review the recommendation of a magistrate judge to which no objections are raised. See *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). This Court carefully reviewed the R&R, the objections briefing, and the relevant record. Based on its de novo review, the Court accepts and adopts Judge Roemer’s recommendation. For the reasons above and in the

R&R, Defendant's [20] motion for summary judgment is GRANTED. The Clerk of Court shall close this case. SO ORDERED. Dated: April 21, 2026 Buffalo, New York (if A \ JOHN EL. SINATRA, JR.

UNITED STATES DISTRICT JUDGE