

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

Yelder v. Burgum

Yelder · No. 3:21-cv-00153-ACP · Decided May 18, 2026

SUMMARY

The United States District Court for the District of Alaska granted the defendants’ motion for summary judgment in Patricia Yelder’s employment discrimination action against the Department of the Interior and related officials. The court concluded that Yelder failed to raise genuine disputes of material fact supporting her claims of sex discrimination, retaliation, hostile work environment, or disability-related discrimination and accommodation violations. The excerpt also addresses the identity and capacities of the named defendants.

CASE DETAILS

COURT	United States District Court for the District of Alaska
WRITING FOR THE COURT	Aaron Christian Peterson
JURISDICTION	United States District Court for the District of Alaska
DECIDED	May 18, 2026
DOCKET	3:21-cv-00153-ACP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff's employment-discrimination action was before the district court on the defendants' motion for summary judgment under Federal Rule of Civil Procedure 56.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court viewed the evidence in the light most favorable to the nonmovant and drew all justifiable inferences in her favor.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Patricia A. Yelder v. Doug Burgum, Secretary, Department of Interior

TOPICS

- summary judgment
- employment discrimination
- title vii
- retaliation
- ada / disability

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the plaintiff identified a genuine dispute of material fact sufficient to defeat summary judgment on her employment-discrimination and retaliation claims.
2. Whether the plaintiff established a prima facie case of sex discrimination under Title VII.
3. Whether the plaintiff established a prima facie case of Title VII retaliation.
4. Whether the alleged conduct was sufficiently severe or pervasive to establish a hostile work environment.
5. Whether the plaintiff established a Title VII race-discrimination claim.
6. Whether the plaintiff connected her dysphonia or other disabilities to discrimination or denial of a reasonable accommodation under the Rehabilitation Act or ADA.
7. Whether the plaintiff established an age-discrimination claim under the ADEA.
8. Whether the Agency demonstrated legitimate, nondiscriminatory reasons for its challenged actions and whether the plaintiff showed pretext.

HOLDINGS

1. Summary judgment was warranted because the plaintiff failed to present evidence creating a genuine dispute of material fact concerning discriminatory or retaliatory intent, and she could not show that the Agency's legitimate explanations were pretextual.
2. The plaintiff failed to establish a prima facie case of sex discrimination because she did not show that similarly situated men were treated more favorably or that her position was filled by a man.
3. The plaintiff failed to establish Title VII retaliation because, although she engaged in protected activity, she did not establish a qualifying adverse employment action or a causal link between protected activity and any challenged action.
4. The alleged physical interactions, comments, and other incidents were not sufficiently severe or pervasive to alter the conditions of employment or create an abusive working environment.
5. The plaintiff failed to establish race discrimination because an isolated alleged racial comment and an inquiry about the nature of requested leave were not linked to an adverse employment action and did not otherwise establish a Title VII violation.
6. The plaintiff failed to establish an ADA or Rehabilitation Act claim because she did not connect her dysphonia or other disability to discrimination or to the denial of a reasonable accommodation.
7. The plaintiff failed to establish an ADEA claim because her allegations of age-based differential treatment were speculative and unsupported by evidence.

KEY QUOTATIONS

“For the above stated reasons, summary judgment is GRANTED in favor of Defendant.” (Conclusion)

“Finally, Plaintiff has not shown that any of these actions is merely a pretext for discrimination.”
(Conclusion)

FACTUAL BACKGROUND

Patricia Yelder was an employee of the National Park Service and alleged that workplace actions occurring primarily from 2016 through 2018 were motivated by her sex, race, disability, age, or prior Equal Employment Opportunity activity. She had dysphonia and a work-related wrist injury, sought telework and other accommodations, and experienced workplace discipline, delayed pay and leave processing, restrictions on training, and nonselection for a position. She filed several EEO complaints, but the record did not establish that similarly situated employees were treated more favorably, that any challenged action was causally connected to protected activity, or that the Agency's stated reasons were pretextual.

PROCEDURAL HISTORY

Yelder filed an initial civil-rights complaint in 2021 and amended complaints asserting sex, race, age, disability, and retaliation claims. The court previously dismissed the sex and age claims in part and dismissed the other claims with prejudice, granting leave to replead the sex-discrimination claim. After further amendments identifying defendants, the United States moved for summary judgment. The court granted summary judgment for the defendant.

DISPOSITION

other

CASES CITED

- *Devereaux v. Abbey*, 263 F.3d 1070, 1076 (9th Cir. 2001)
- *Celotex Corp. v. Catrett*, 477 U.S. 317, 324-325 (1986)
- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248-249, 255 (1986)
- *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 158-159 (1970)
- *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 802-804 (1973)
- *Curley v. City of N. Las Vegas*, 772 F.3d 629, 632 (9th Cir. 2014)
- *Godwin v. Hunt Wesson, Inc.*, 150 F.3d 1217, 1220 (9th Cir. 1998)
- *Texas Department of Community Affairs v. Burdine*, 450 U.S. 248, 256 (1981)
- *Lui v. DeJoy*, 129 F.4th 770, 777 (9th Cir. 2025)
- *Vasquez v. City of Los Angeles*, 349 F.3d 634, 641 (9th Cir. 2003)
- *Emeldi v. University of Oregon*, 698 F.3d 715, 724 (9th Cir. 2012)
- *Okonowsky v. Garland*, 109 F.4th 1166, 1178 (9th Cir. 2024)
- *Merrick v. Farmers Insurance Group*, 892 F.2d 1434, 1438 (9th Cir. 1990)
- *Gross v. FBL Financial Services, Inc.*, 557 U.S. 167, 176 (2009)
- *Samper v. Providence St. Vincent Medical Center*, 675 F.3d 1233, 1240 (9th Cir. 2012)

- Brooks v. Agate Resources, Inc., No. 6:15-CV-00983-MK, 2019 WL 2635594, at *8 (D. Or. Mar. 25, 2019)
- Chandler v. DeJoy, 714 F. Supp. 3d 1108, 1142 (D. Ariz. 2024)
- Chandler v. DeJoy, No. 24-1265, 2025 WL 1404947 (9th Cir. May 15, 2025)
- Eldridge v. Block, 832 F.2d 1132, 1137 (9th Cir. 1987)
- Romano v. Bible, 169 F.3d 1182, 1186 (9th Cir. 1999)

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