

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Rosalinn M. Giang v. David Steiner, Postmaster General

Giang · No. CIV-22-112-D · Decided February 6, 2026

SUMMARY

The court grants the defendant’s motion for sanctions in an employment-discrimination action against the Postmaster General. It finds that the plaintiff filed multiple fabricated or forged witness statements, failed to comply with court-ordered limited discovery, and willfully interfered with the judicial process. Applying the Ehrenhaus factors, the court dismisses the action with prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Timothy D. DeGiusti
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	February 6, 2026
DOCKET	CIV-22-112-D
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved for sanctions based on Plaintiff's submission of allegedly forged or fabricated witness statements and failure to comply with limited discovery concerning the alleged fraud on the court. The district court granted the motion and dismissed the action with prejudice.
STANDARD OF REVIEW	The court exercised its discretion under Federal Rule of Civil Procedure 37 and its inherent authority to determine whether dismissal was warranted, considering the Ehrenhaus factors: prejudice to the opposing party, interference with the judicial process, culpability, prior warnings, and the efficacy of lesser sanctions.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- sanctions
- civil procedure
- employment discrimination
- title vii
- retaliation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff's submission of fabricated or forged witness statements and failure to comply with fraud-related discovery warranted sanctions under Federal Rule of Civil Procedure 37 and the court's inherent authority.
2. Whether dismissal with prejudice was an appropriate sanction under the applicable factors governing dismissal for litigation misconduct.

HOLDINGS

1. A district court may impose sanctions, including dismissal, under Federal Rule of Civil Procedure 37(b)(2)(A)(v) when a party fails to obey an order to provide or permit discovery, and may also impose appropriate sanctions under its inherent authority to protect the integrity of judicial proceedings.
2. Dismissal with prejudice was warranted because Plaintiff willfully engaged in bad-faith litigation conduct, caused actual prejudice, interfered substantially with the judicial process, had been warned that dismissal was a possible sanction, and could not be adequately deterred by lesser sanctions.

KEY QUOTATIONS

“Dismissal is “an extreme sanction appropriate only in cases of willful misconduct,” should be used only when a lesser sanction would be ineffective, and requires a consideration of appropriate factors.” (Standard of Decision)

“For these reasons, Defendant’s Motion for Sanctions with Brief in Support [Doc. No. 86] is GRANTED. Plaintiff’s action is DISMISSED WITH PREJUDICE.” (Conclusion)

FACTUAL BACKGROUND

Plaintiff's employment-discrimination action relied in part on witness statements purportedly signed by five USPS employees. Each of those witnesses provided declarations denying that they drafted or signed the statements, and the court found that the statements were fabricated or forged. Plaintiff also failed to respond to discovery directed to the alleged fraud and failed to appear for inspection of original witness statements despite a prior order requiring compliance. The court concluded that Plaintiff had willfully engaged in bad-faith litigation conduct that prejudiced Defendant and interfered with the judicial process.

PROCEDURAL HISTORY

Plaintiff brought employment-discrimination and retaliation claims against the Postmaster General. The court previously dismissed some claims, leaving Title VII retaliation, retaliatory hostile work environment, and constructive-discharge claims. After Defendant alleged that Plaintiff had submitted fabricated or forged witness statements, the court stayed the action for ninety days, authorized limited discovery into the alleged fabrication, and warned Plaintiff that dismissal could be imposed. Plaintiff failed to respond to discovery requests and failed to appear for inspection of original witness statements. The court granted Defendant's sanctions motion and dismissed the action with prejudice.

DISPOSITION

dismissed

CASES CITED

- United States v. Rapower-3, LLC, 470 F. Supp. 3d 1232, 1249 (D. Utah July 6, 2020)
- Gilmer v. Colo. Inst. of Art, 12 F. App'x 892, 894-95 (10th Cir. 2001)
- Ehrenhaus v. Reynolds, 965 F.2d 916, 920-21 (10th Cir. 1992)
- LaFleur v. Teen Help, 342 F.3d 1145, 1152 (10th Cir. 2003)
- Lee v. Max Int'l, LLC, 638 F.3d 1318, 1323 (10th Cir. 2011)
- Pope v. Fed. Express Corp., 138 F.R.D. 675, 683 (W.D. Mo. 1990)

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