

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA, HUNTINGTON DIVISION

Pack v. CSX Transportation, Inc.

Civil Action No. 3:24-0688 (S.D.W. Va. Jan. 14, 2026) · No. 3:24-0688 · Decided January 14, 2026

SUMMARY

The United States District Court for the Southern District of West Virginia addresses CSX Transportation, Inc.'s motion for summary judgment in Toby Pack's claims under the Family and Medical Leave Act. The court denies summary judgment on Pack's retaliation claim, finding a reasonable jury could conclude that CSX's stated reason for terminating him was pretextual, but grants summary judgment on the interference claim and enters judgment for CSX on that claim.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia, Huntington Division
WRITING FOR THE COURT	Robert C. Chambers
JURISDICTION	United States District Court for the Southern District of West Virginia, Huntington Division
DECIDED	January 14, 2026
DOCKET	3:24-0688
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for summary judgment on the plaintiff's FMLA retaliation and interference claims.
STANDARD OF REVIEW	Summary judgment is proper when the movant shows that no genuine dispute of material fact exists and that the movant is entitled to judgment as a matter of law. The court views the facts and reasonable inferences in the light most favorable to the nonmoving party.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- family and medical leave act
- retaliation
- summary judgment
- employment law
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether CSX was entitled to summary judgment on Pack's FMLA retaliation claim.
2. Whether Pack's FMLA interference claim should be analyzed separately from or merged with his retaliation claim.
3. Whether CSX was entitled to judgment on the FMLA interference claim.

HOLDINGS

1. Summary judgment was denied because Pack presented sufficient evidence from which a reasonable jury could find that CSX's asserted reason for terminating him—FMLA misuse—was pretextual.
2. The court treated the interference and retaliation analyses as effectively merged under the circumstances presented and granted CSX's motion on the separate interference claim.

KEY QUOTATIONS

“A “court shall grant summary judgment if 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.””

“A reasonable juror could conclude, based on the limited evidence that Pack misused FMLA leave, that CSX’s purported reason for terminating Pack was pretextual.”

“Accordingly, the Court will deny CSX’s Motion with respect to Pack’s retaliation claim.”

FACTUAL BACKGROUND

Pack, a CSX employee with chronic kidney stones, was approved for intermittent FMLA leave. On August 23, 2017, he called CSX to request time off, initially seeking a personal day because his children were starting a new school, but he also testified that his kidney-stone condition had begun to flare and that he needed medical attention. After CSX treated the call as FMLA misuse, Pack was suspended pending an investigation, provided a doctor's note, and was terminated. The court found evidence from which a jury could conclude that CSX's stated reason for termination was pretextual.

PROCEDURAL HISTORY

Toby Pack sued CSX Transportation, Inc., alleging that CSX interfered with his rights under the Family and Medical Leave Act and terminated him in retaliation for taking FMLA leave. After discovery, CSX moved for summary judgment. The court denied the motion as to retaliation but granted it as to interference and entered judgment for CSX on the interference claim.

DISPOSITION

other

CASES CITED

- *Bhattacharya v. Murray*, 93 F.4th 675, 686 (4th Cir. 2024)
- *Sharif v. United Airlines, Inc.*, 841 F.3d 199, 203, 206 (4th Cir. 2016)
- *Yashenko v. Harrah's NC Casino Co.*, 446 F.3d 541, 551 (4th Cir. 2006)
- *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 800-06 (1973)
- *Reeves v. Sanderson Plumbing Prods., Inc.*, 530 U.S. 133, 147 (2000)
- *Smith v. Chrysler Corp.*, 155 F.3d 799, 807-08 (6th Cir. 1998)
- *LaBelle v. Cleveland Cliffs, Inc.*, No. 2:17-CV-212, 2018 WL 7254247, at *4 (W.D. Mich. Nov. 27, 2018), *aff'd*, 784 F. App'x 437 (6th Cir. 2019)
- *Seeger v. Cincinnati Bell Telephone Co.*, 681 F.3d 274, 282 (6th Cir. 2012)

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