

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Uma R. Kandan v. Charlotte Burrows, et al.

Kandan · No. No. 24-2089 · Decided November 24, 2025

SUMMARY

The United States District Court for the Eastern District of Louisiana ruled on the EEOC's motion in limine in Uma R. Kandan's sex-discrimination action concerning a promotion decision at the EEOC. The court permitted evidence of the decisionmaker's critical statements about Kandan's accent, leave, and performance, but barred testimony characterizing the conduct as race or national-origin discrimination and excluded evidence of an alleged head-bobble gesture under Rule 403. The ruling was provisional and subject to reconsideration as trial evidence developed.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Eva J. Dossier
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	November 24, 2025
DOCKET	No. 24-2089
DISPOSITION	other
PROCEDURAL POSTURE	The court ruled on the EEOC's motion in limine to exclude evidence and testimony concerning race or national-origin discrimination in Kandan's sex-discrimination trial.
STANDARD OF REVIEW	The court applied the Federal Rules of Evidence, including relevance under Rule 401 and balancing under Rules 403 and 404(b).
PRECEDENTIAL VALUE	Unpublished district-court order; limited persuasive value
PARTIES	Uma R. Kandan v. Charlotte Burrows, et al.

TOPICS

- evidence
- relevance
- character evidence
- employment discrimination
- federal employment law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether evidence of Irvin's critical statements about Kandan's accent, leave, communication, and performance was relevant to Kandan's sex-discrimination claim.
2. Whether the witness could characterize Irvin's conduct as race or national-origin discrimination when Kandan had no remaining race or national-origin claim.
3. Whether the challenged evidence was admissible under Federal Rules of Evidence 403 and 404(b).
4. Whether testimony concerning the alleged head-bobble gesture should be excluded because its probative value was substantially outweighed by the risks of confusing the issues and unfair prejudice.

HOLDINGS

1. Evidence that Irvin criticized Kandan's accent, leave, communication, or job performance was relevant to her sex-discrimination claim because Irvin was the decisionmaker and the statements could show differential treatment, undermining of Kandan's professional development, or an effort to influence others against her.
2. The witness may not testify that Irvin discriminated against Kandan based on race or national origin, or otherwise characterize his conduct as race or national-origin discrimination, because those dismissed claims are immaterial to the remaining sex-discrimination claim.
3. Evidence of Irvin's critical statements about Kandan, including comments concerning her accent and leave to visit India, was admissible under Rules 403 and 404(b), subject to a possible limiting instruction.
4. Testimony about, or reenactment of, the alleged head-bobble gesture was inadmissible under Rule 403 on the record then developed because it presented a significant risk of confusing the issues and unfairly prejudicing the EEOC.

KEY QUOTATIONS

"[C]ircumstantial proof of discrimination typically includes unflattering testimony about the employer's history and work practices—evidence which in other kinds of cases may well unfairly prejudice the jury against the defendant. In discrimination cases, however, such background evidence may be critical for the jury's assessment of whether a given employer was more likely than not to have acted from an unlawful motive." (at 5-6)

"Kandan may present evidence of Irvin's alleged critical statements about Kandan." (at 8)

"Kandan may not present witness testimony that characterizes Irvin as having discriminated against Kandan based on race or national origin nor evidence of an alleged head bobble gesture used by Irvin." (at 8)

FACTUAL BACKGROUND

Uma Kandan, an Indian-born naturalized United States citizen, was passed over for an EEOC Field Director position in favor of Michael Kirkland. Kandan's remaining claim is that the decisionmaker, Rayford Irvin, intentionally discriminated against her based on sex. A proposed witness testified that Irvin criticized Kandan's accent and leave taken to visit family in India, allegedly used a head-bobble gesture while discussing her accent, and treated female employees more harshly than male employees. The evidence also implicated race or national-origin discrimination, although those claims had been dismissed.

PROCEDURAL HISTORY

Kandan initially asserted race and national-origin discrimination claims but voluntarily dismissed those claims. Her remaining claim alleges intentional sex discrimination based on EEOC District Director Rayford Irvin's selection of Michael Kirkland rather than Kandan for the Field Director position. The EEOC moved to exclude testimony concerning Irvin's criticism of Kandan's accent and leave, an alleged head-bobble gesture, and a witness's characterization of the conduct as race or national-origin discrimination. The court granted the motion in part and denied it in part, subject to revisiting the ruling as evidence develops at trial.

DISPOSITION

other

CASES CITED

- Kandan v. Lucas, No. CV 24-2089, 2025 WL 2694633, at *2 (E.D. La. Sept. 22, 2025)
- Kadlec Med. Ctr. v. Lakeview Anesthesia Assocs., No. CV 04-0997, 2006 WL 8446254, at *2 (E.D. La. Mar. 7, 2006)
- United States v. Hall, 653 F.2d 1002, 1005 (5th Cir. 1981)
- Knights v. Bank United of Texas Federal Savings Bank, 192 F.3d 127 (5th Cir. 1999)
- Kelly v. Boeing Petroleum Services, Inc., 61 F.3d 350, 357-58 (5th Cir. 1995)
- Kelly v. Boeing Petroleum Servs., Inc., 61 F.3d 350, 360 (5th Cir. 1995)
- Gee v. Principi, 289 F.3d 342, 346 (5th Cir. 2002)
- Richardson v. Prairie Opportunity, Inc., 470 F. App'x 282, 284 (5th Cir. 2012)
- Adams v. Mem'l Hermann, 973 F.3d 343, 351 n.6 (5th Cir. 2020)
- Old Chief v. United States, 519 U.S. 172, 187 (1997)

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