

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
LOUISIANA

Yvette Bergeron v. Commerce Title & Abstract Company

Civil Action No. 24-692-JWD-SDJ · No. No. 24-692-JWD-SDJ · Decided February 27, 2026

SUMMARY

The United States District Court for the Middle District of Louisiana grants Commerce Title & Abstract Company’s motion for summary judgment in Yvette Bergeron’s action alleging age discrimination under the ADEA and the Louisiana Employment Discrimination Law. The court concludes that Bergeron failed to present sufficient evidence from which a reasonable jury could find that age was the but-for cause of her termination. The opinion discusses the parties’ employment arrangements, remote-work policies, alleged termination reasons, and the McDonnell Douglas burden-shifting framework.

CASE DETAILS

COURT	United States District Court for the Middle District of Louisiana
WRITING FOR THE COURT	John W. deGravelles
JURISDICTION	United States District Court for the Middle District of Louisiana
DECIDED	February 27, 2026
DOCKET	No. 24-692-JWD-SDJ
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought claims under the Age Discrimination in Employment Act and the Louisiana Employment Discrimination Law. Defendant moved for summary judgment.
STANDARD OF REVIEW	Summary judgment is appropriate when the movant shows that there is no genuine dispute as to any material fact and that it is entitled to judgment as a matter of law. The court may not weigh evidence or resolve credibility disputes and must draw reasonable inferences for the nonmovant, but conclusory allegations, unsubstantiated assertions, and a scintilla of evidence are insufficient.
PRECEDENTIAL VALUE	district court opinion; precedential status not designated in the source
PARTIES	Yvette Bergeron v. Commerce Title & Abstract Company

TOPICS

age discrimination

employment discrimination

summary judgment

civil procedure

PRACTICE AREAS

employment law

civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether Bergeron established a prima facie case of age discrimination under the ADEA where Commerce Title did not replace her and she failed to identify a younger, similarly situated retained employee or other evidence connecting the termination to age.
2. Whether Commerce Title articulated legitimate, nondiscriminatory reasons for Bergeron's termination and whether Bergeron produced sufficient evidence that those reasons were pretextual.
3. Whether Bergeron's Louisiana Employment Discrimination Law age-discrimination claim survived summary judgment under the same framework applied to her ADEA claim.

HOLDINGS

1. Bergeron failed to establish a prima facie case of age discrimination because she did not identify a younger retained employee whose employment circumstances were nearly identical to hers, and she presented no other direct or circumstantial evidence that Commerce Title intended to discriminate based on age.
2. Even assuming Bergeron established a prima facie case, Commerce Title was entitled to summary judgment because it articulated legitimate, nondiscriminatory reasons for terminating her and Bergeron did not produce sufficient evidence from which a reasonable factfinder could conclude that those reasons were pretextual for age discrimination.
3. Bergeron's LEDL age-discrimination claim failed for the same reasons as her ADEA claim and could not survive summary judgment.

KEY QUOTATIONS

“At most, Defendant’s allowing Achord and Babin to work remotely despite the oral agreement supports an inference that Defendant was trying to burden Plaintiff, not that Defendant was trying to burden Plaintiff because of Plaintiff’s age.” (Section IV.A.1.b)

“Plaintiff must therefore raise a genuine question of fact concerning whether Defendant’s reasons for termination are a pretext for discrimination.” (Section IV.A.2.b)

“Accordingly, IT IS ORDERED that Defendant Commerce Title & Abstract Company’s Motion for Summary Judgment (Doc. 19) is GRANTED, and Plaintiff’s claims against Defendant will be DISMISSED WITH PREJUDICE.” (Conclusion)

FACTUAL BACKGROUND

Bergeron, a licensed Louisiana attorney, returned to work for Commerce Title in November 2020 after allegedly securing an oral understanding that two of her former closing processors would work in person with her. Commerce Title's handbook provided that eligible employees could work remotely and stated that employment terms could not be modified orally. The processors later worked remotely, and Bergeron repeatedly complained about the remote-work policy, Commerce Title's software and processes, and the resulting workload; other employees also complained about her treatment of them. Commerce Title terminated Bergeron on April 12, 2023, identifying the separation to the Louisiana Workforce Commission as a layoff or reduction in force, while its owners cited her noncompliance with policies, criticism of company processes, treatment of coworkers, and lack of commitment to the company's service standards.

PROCEDURAL HISTORY

Bergeron filed suit in the Middle District of Louisiana alleging that Commerce Title terminated her because of her age and subjected her to an excessive work burden in an effort to force her resignation. After briefing and consideration of the summary-judgment record, the court granted Commerce Title's motion for summary judgment and dismissed all claims with prejudice.

DISPOSITION

dismissed

CASES CITED

- Pioneer Exploration, L.L.C. v. Steadfast Insurance Co., 767 F.3d 503, 511 (5th Cir. 2014)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Wease v. Ocwen Loan Servicing, L.L.C., 915 F.3d 987, 997 (5th Cir. 2019)
- Stahl v. Novartis Pharmaceutical Corp., 283 F.3d 254, 263 (5th Cir. 2002)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986)
- Little v. Liquid Air Corp., 37 F.3d 1069, 1075 (5th Cir. 1994) (en banc) (per curiam)
- International Shortstop, Inc. v. Rally's, Inc., 939 F.2d 1257, 1263 (5th Cir. 1991)
- McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)
- Dabbasi v. Motiva Enterprises, L.L.C., 107 F.4th 500, 505, 507 (5th Cir. 2024)
- Jackson v. Cal-Western Packaging Corp., 602 F.3d 374, 378 (5th Cir. 2010)
- Reeves v. Sanderson Plumbing Products, Inc., 530 U.S. 133, 143, 147-49 (2000)
- Texas Department of Community Affairs v. Burdine, 450 U.S. 248, 253-55 (1981)
- Awe v. Harris Health System, 163 F.4th 969, 972 (5th Cir. 2026)
- Holliday v. Commonwealth Brands, Inc., No. 10-2785, 2012 WL 72468, at *4, *7 (E.D. La. Jan. 10, 2012)
- Nichols v. Loral Vought Systems Corp., 81 F.3d 38, 41-42 (5th Cir. 1996)
- International Brotherhood of Teamsters v. United States, 431 U.S. 324, 358 & n.44 (1977)
- Furnco Construction Corp. v. Waters, 438 U.S. 567, 577 (1978)
- Allen v. U.S. Postal Service, 63 F.4th 292, 301-02 (5th Cir. 2023)

- *Rosenblatt v. 7-Eleven, Inc.*, No. 6-957, 2007 WL 2187252, at *4-*6, *12 (N.D. Tex. July 27, 2007)
- *Palasota v. Haggard Clothing Co.*, 342 F.3d 569, 576 (5th Cir. 2003) (per curiam)
- *Kisslinger v. ArcBest Corp.*, No. 23-41, 2025 WL 3760312, at *5-*6 (S.D. Tex. Sept. 25, 2025)
- *Berquist v. Washington Mutual Bank*, 500 F.3d 344, 353 (5th Cir. 2007)
- *Perez v. Texas Department of Criminal Justice*, 395 F.3d 206, 213 (5th Cir. 2004)
- *Hauser v. Schneider Electric Systems USA, Inc.*, No. 17-3223, 2019 WL 13251124, at *4 (S.D. Tex. May 29, 2019)
- *Lee v. Kansas City Southern Railway Co.*, 574 F.3d 253, 259-60, 262 (5th Cir. 2009)
- *Morse v. Board of Supervisors of Louisiana State University Agricultural & Mechanical College*, No. 19-9240, 2020 WL 2037192, at *4, *6 (E.D. La. Apr. 28, 2020)
- *Payton v. Town of Maringouin*, No. 18-563, 2021 WL 2544416, at *26 (M.D. La. June 21, 2021), *aff'd*, No. 21-30440, 2022 WL 3097846 (5th Cir. Aug. 3, 2022)
- *JMCB, LLC v. Board of Commerce & Industry*, 336 F. Supp. 3d 620, 634 (M.D. La. 2018)
- *JTB Tools & Oilfield Services, L.L.C. v. United States*, 831 F.3d 597, 601 (5th Cir. 2016)
- *El-Moussa v. Holder*, 569 F.3d 250, 257 (6th Cir. 2009)
- *St. Pierre v. DuPont Specialty Products USA, LLC*, No. 22-781, 2024 WL 3094596, at *4 (M.D. La. June 21, 2024)
- *Laxton v. Gap Inc.*, 333 F.3d 572, 578 (5th Cir. 2003)
- *McMichael v. Transocean Offshore Deepwater Drilling, Inc.*, 934 F.3d 447, 456 (5th Cir. 2019)
- *Broussard v. Stabil Drill Specialties, L.L.C.*, No. 23-30383, 2023 WL 8613608, at *2 (5th Cir. Dec. 13, 2023) (per curiam)
- *Caldwell v. KHOU-TV*, 850 F.3d 237, 242-44 (5th Cir. 2017)
- *Gee v. Principi*, 289 F.3d 342, 347-48 (5th Cir. 2002)
- *Owens v. Circassia Pharmaceuticals, Inc.*, 33 F.4th 814, 830-34 (5th Cir. 2022)
- *Saketkoo v. Administrators of the Tulane Educational Fund*, 31 F.4th 990, 999 (5th Cir. 2022)
- *West v. Nabors Drilling USA, Inc.*, 330 F.3d 379, 385 (5th Cir. 2003)
- *Amburgey v. Corhart Refractories Corp.*, 936 F.2d 805, 812, 814 (5th Cir. 1991)
- *Jarvis v. Cirrus Logic, Inc.*, 97 F. App'x 493, 493 (5th Cir. 2004)
- *Manning v. Chevron Chemical Co., LLC*, 332 F.3d 874, 882 (5th Cir. 2003)
- *Millbrook v. IBP, Inc.*, 280 F.3d 1169, 1176 (7th Cir. 2002)
- *Garrett v. Hewlett-Packard Co.*, 305 F.3d 1210, 1217-20 (10th Cir. 2002)
- *LaBove v. Raftery*, 2000-1394 (La. 11/28/01), 802 So. 2d 566, 573-74
- *Majors v. Dillard University*, 2022-0789 (La. App. 4 Cir. 5/8/23), 368 So. 3d 116, 121

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