

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
WISCONSIN

Thaddeus M. Lietz v. Procter & Gamble Company

Lietz · No. 25-cv-1662-pp · Decided April 3, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin denied Thaddeus M. Lietz’s motion for reconsideration of the order dismissing individual employee defendants from his ADA employment-discrimination action. The court held that 42 U.S.C. § 1981 does not apply to the alleged disability discrimination and that individual employees cannot be held personally liable under the ADA.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                            |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Eastern District of Wisconsin                                                                                                                                                                                         |
| JURISDICTION       | United States District Court for the Eastern District of Wisconsin                                                                                                                                                                                         |
| DECIDED            | April 3, 2026                                                                                                                                                                                                                                              |
| DOCKET             | 25-cv-1662-pp                                                                                                                                                                                                                                              |
| DISPOSITION        | other                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE | Plaintiff sought reconsideration of the court's initial screening order, which allowed an ADA disability-discrimination claim to proceed against Procter & Gamble but dismissed the individual employee defendants.                                        |
| STANDARD OF REVIEW | A motion for reconsideration is granted only to correct a manifest error of law or fact or to consider newly discovered evidence. Manifest error requires a showing of wholesale disregard, misapplication, or failure to recognize controlling precedent. |
| PRECEDENTIAL VALUE | Unpublished district court order; persuasive rather than generally binding beyond the case.                                                                                                                                                                |

TOPICS

- motion for reconsideration
- ada discrimination
- disability discrimination
- employment discrimination
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the court committed a manifest error of law or fact by dismissing the individual employee defendants at the initial screening stage.
2. Whether 42 U.S.C. § 1981 or 42 U.S.C. § 1981a authorizes individual employee liability for alleged ADA employment discrimination.

## HOLDINGS

1. Reconsideration was unwarranted because the plaintiff did not identify a manifest error of law or fact, newly discovered evidence, or a failure to apply controlling precedent.
2. Individual employees cannot be held personally liable under the ADA because they are not employers within the meaning of the statute.

## KEY QUOTATIONS

*“Motions for reconsideration serve a limited function; to correct manifest errors of law or fact or to present newly discovered evidence.”*

*“Section 1981 does not apply to the plaintiff’s case.”*

*“But Section §1981a does not state that individual employees can be held personally liable for damages in employment discrimination cases; it only describes what damages are available if the plaintiff proves that an employer violated the ADA.”*

## FACTUAL BACKGROUND

Plaintiff, formerly employed by Procter & Gamble and incarcerated at Oshkosh Correctional Institution, alleged that he was terminated because of his disability and that the termination violated the ADA. He named Procter & Gamble and several individual employees as defendants. The complaint did not allege that the defendants discriminated against him because of his race.

## PROCEDURAL HISTORY

Plaintiff filed a pro se complaint alleging, among other things, that his former employer wrongfully terminated him in violation of the ADA. On February 3, 2026, the court screened the complaint, permitted a disability-discrimination claim against Procter & Gamble, dismissed the individual employees, and ordered service on the corporate defendant. Plaintiff then moved for reconsideration, arguing that the individual defendants could be liable under 42 U.S.C. § 1981(a)(1). The court denied reconsideration and noted that the defendant's later motion to dismiss would be addressed separately.

## DISPOSITION

other

## CASES CITED

- Rothwell Cotton Co. v. Rosenthal & Co., 827 F.2d 246, 251 (7th Cir. 1987)
- Sedrak v. Callahan, 987 F. Supp. 1063, 1069 (N.D. Ill. 1997)
- In re Aug., 1993 Regular Grand Jury, 845 F. Supp. 1403, 1407 (S.D. Ind. 1994)
- EEOC v. AIC Security Investigations, Ltd., 55 F.3d 1276, 1279-82 (7th Cir. 1995)
- Williams v. Banning, 72 F.3d 552, 555 (7th Cir. 1995)

## OPINION

Lietz

PER CURIAM.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
THADDEUS M. LIETZ,  
Plaintiff, Case No. 25-cv-1662-pp v.  
PROCTER & GAMBLE COMPANY,  
Defendant.

ORDER DENYING PLAINTIFF’S MOTION FOR RECONSIDERATION  
(DKT. NO. 9)

On October 28, 2025, the plaintiff—who is incarcerated at Oshkosh Correctional Institution and is representing himself—filed a complaint alleging, among other things, that his former employer wrongfully terminated him in violation of the Americans with Disabilities Act (ADA). Dkt. No. 1. The plaintiff named Procter & Gamble Company and several of its employees as defendants. Id. at 1. On February 3, 2026, the court screened the complaint and allowed the plaintiff to proceed with a disability discrimination claim against the corporate defendant, Procter & Gamble; the court dismissed the individual employee defendants. Dkt. No. 7. The court ordered the U.S. Marshals Service to serve the summons and complaint on the defendant. Id. at 11. On February 24, 2026, the plaintiff filed a “motion for reconsideration on initial screening.” Dkt. No. 9. The plaintiff argues that the individual employee defendants “could be held liable within their individual as well as official employment capacity” under 42 U.S.C. §1981(a)(1). Id. He contends that a jury may find that his termination was “a ploy to intentionally get rid of [him] from employment so they would not have to further deal with or accommodate [him].” Id. The plaintiff asserts that his case “is [similar] to the situation of the first Navy disabled black scuba diver as [portrayed] in the movie ‘Men of Honor’ in which a person or persons intentionally [sabotaged] the disabled person’s progress.” Id. The plaintiff asks the court to “reconsider and re-screen initial complaint allowing individuals to remain liable.” Id. “Motions for reconsideration serve a limited function; to correct manifest errors of law or fact or to present newly discovered evidence.” Rothwell Cotton Co. v. Rosenthal & Co., 827 F.2d 246, 251 (7th Cir. 1987) (citation omitted). To demonstrate “manifest error,” the party moving for reconsideration must show that the court’s decision exhibited a

“wholesale disregard, misapplication, or failure to recognize controlling precedent” in its prior ruling. *Sedrak v. Callahan*, 987 F. Supp. 1063, 1069 (N.D. Ill. 1997) (quoting *In re Aug.*, 1993 Regular Grand Jury, 845 F. Supp. 1403, 1407 (S.D. Ind. 1994)). The plaintiff’s motion does not demonstrate that the court committed a manifest error of law or fact in its screening order. The plaintiff argues that the court should not have dismissed the individual defendants because they may be held liable for intentional discrimination under 42 U.S.C. §1981(a)(1). There is no “42 U.S.C. §1981(a)(1).” Section 1981(a)—there is no subsection 1— prohibits racial discrimination in the making and enforcement of contracts. The plaintiff’s complaint does not allege that the defendant discriminated against him because of his race. The complaint alleges that the defendant discriminated against him and terminated him because of his disability. Section 1981 does not apply to the plaintiff’s case. Perhaps the plaintiff meant to reference 42 U.S.C. §1981a. That statute governs the available damages in cases of intentional discrimination in employment. See 42 U.S.C. §1981a(a)(1), (2) (stating that a party alleging intentional employment discrimination under Title VII and the ADA may recover compensatory and punitive damages). But Section §1981a does not state that individual employees can be held personally liable for damages in employment discrimination cases; it only describes what damages are available if the plaintiff proves that an employer violated the ADA. The Seventh Circuit repeatedly has held that individual employees cannot be held liable under the ADA (or Title VI) because they are not “employers.” See *EEOC v. AIC Security Investigations, Ltd.*, 55 F.3d 1276, 1279-82 (7th Cir. 1995) (ADA); *Williams v. Banning*, 72 F.3d 552, 555 (7th Cir. 1995) (Title VII). There is no basis for the court to reconsider its order dismissing the individual defendants. The court will deny the plaintiffs motion for reconsideration. On April 2, 2026, the defendant filed a motion to dismiss the complaint. Dkt. No. 17. The court will address that motion in a separate order. The court DENIES the plaintiff’s motion for reconsideration. Dkt. No. 9. Dated in Milwaukee, Wisconsin this 3rd day of April, 2026. BY THE COURT: Chief United States District Judge