

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-2492

Rosalyn Moore,

Appellant,

v.

Pharmacia Corporation,

Appellee.

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* Appeal from the United States

* District Court for the

* Eastern District of Missouri.

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* [UNPUBLISHED]

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Submitted: July 6, 2005

Filed: July 15, 2005

Before BYE, RILEY, and COLLOTON, Circuit Judges.

PER CURIAM.

Rosalyn Moore appeals the district court's¹ adverse grant of summary judgment in her employment-discrimination action against the Pharmacia Corporation (Pharmacia). We find no abuse of discretion in the district court's application of Eastern District of Missouri Rule 7-4.01 to hold that everything in Pharmacia's statement of undisputed material facts was deemed admitted, especially because the court considered Moore's affidavit to the extent it conflicted with Pharmacia's statement. See N.W. Bank & Trust Co. v. First Ill. Nat'l Bank, 354 F.3d 721, 725

¹The Honorable E. Richard Webber, United States District Judge for the Eastern District of Missouri.

(8th Cir. 2003) (standard of review; district court exercised some lenity in applying local rule on summary judgment, which existed to prevent court from having to engage in proverbial search for needle in haystack). Having conducted de novo review, see Jacob-Mua v. Veneman, 289 F.3d 517, 519 (8th Cir. 2002), we agree with the district court that Moore created no trialworthy issues as to whether defendant's proffered reasons for terminating her were a pretext for age and race discrimination.²

Accordingly, we affirm. See 8th Cir. R. 47B.

²We decline to address Moore's arguments about establishing a prima facie case of wage discrimination, as she abandoned any such claim below. Further, Moore does not challenge on appeal the district court's determination that she abandoned her retaliation and gender-discrimination claims. See Shade v. City of Farmington, Minn., 309 F.3d 1054, 1058 n.6 (8th Cir. 2002) (waiver of claims on appeal).