



GEORGETOWN LAW
APPELLATE COURTS IMMERSION CLINIC

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July 5, 2024

Maureen W. Gornik
Acting Clerk of Court
Thomas F. Eagleton Courthouse
111 South 10th Street
St. Louis, MO 63102

Re: Louis Naes v. City of St. Louis, No. 22-2021

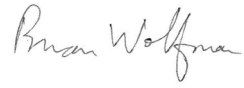
Letter responding to City's July 3, 2024 letter

Dear Ms. Gornik:

This letter responds to the City of St. Louis's July 3, 2024, letter. Despite the Supreme Court's decision in *Muldrow*—which the City does not deny eliminates the sole basis for this Court's earlier ruling—that letter urges this Court to effectively reverse the district court's pre-*Muldrow* determination that there are disputes of material fact that preclude summary judgment on Naes's Title VII sex-discrimination claim. *See* Pet. for R'hrng En Banc 4 (July 28, 2023) (describing district-court summary-judgment ruling).

Our April 18, 2024 letter explains why it would be appropriate for this Court to remand to the district court for further proceedings. We add only that if not for the quirk of *Muldrow*'s interposition, this Court would have lacked appellate jurisdiction to review the district court's interlocutory denial of summary judgment, *see, e.g., Folta v. Norfolk Brewing Co.*, [88 F.4th 1266, 1267](#) (8th Cir. 2023), underscoring the prudence of the course we suggest.

Sincerely,

A handwritten signature in black ink that reads "Brian Wolfman". The signature is written in a cursive, flowing style.

Brian Wolfman

Word count: 153

Certificate of Service

I certify that, on July 8, 2024, this letter was filed using the Court's CM/ECF system. All attorney participants in the case are registered CM/ECF users and will be served electronically via that system.

s/Brian Wolfman

Brian Wolfman