

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 99-2724

Gerald Egan,

Appellant,

v.

University of Nebraska at Lincoln,

Appellee.

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Appeal from the United States
District Court for the
District of Nebraska.

[UNPUBLISHED]

Submitted: January 4, 2000
Filed: January 25, 2000

Before McMILLIAN, LOKEN, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Gerald Egan appeals the district court's¹ grant of summary judgment dismissing his claim that the University of Nebraska at Lincoln violated the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12101 *et seq.*, when it refused to hire him for a live-in student residence hall position on account of his mental condition. The district court sanctioned Egan for failing to make material discovery disclosures by precluding him from offering evidence regarding his status as a qualified individual with a

¹The HONORABLE WARREN K. URBOM, United States District Judge for the District of Nebraska.

disability. The court then granted summary judgment in favor of the University because this discovery ruling left Egan unable to prove a prima facie case under the ADA. After careful review of the record, we conclude that these rulings were not an abuse of the district court's discretion. Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U. S. COURT OF APPEALS, EIGHTH CIRCUIT.