

**IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO**

MALINDA WILLIAMS,	:	APPEAL NO. C-160290
	:	TRIAL NO. A-1407015
Plaintiff-Appellant,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
	:	
F.B. LLC,	:	
	:	
SCOTT SHERIDAN,	:	
	:	
and	:	
	:	
BILL FOSTER,	:	
	:	
Defendants-Appellees.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* S.Ct.R.Rep.Op. 2; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

Plaintiff-appellant Malinda Williams has appealed from the trial court's entry granting summary judgment to defendants-appellees F.B. LLC, Scott Sheridan, and Bill Foster on Williams' claims for sexual harassment, intentional infliction of emotional distress, unpaid wages, and negligent hiring, retention and supervision. In two assignments of error, Williams challenges the trial court's grant of summary judgment to the defendants on her claims for sexual harassment and intentional infliction of emotional distress.

Because the record contains no genuine issues of material fact, and the evidence demonstrates both that the conduct complained of in this case was not severe or pervasive enough to have affected Williams' employment, and that her employers neither knew, nor should have known, of this conduct and failed to take corrective action, we hold that the trial court did not err in granting summary judgment to the defendants on Williams' claim for sexual harassment.<sup>1</sup> See *Widmyer v. Steak 'n Shake Operations, Inc.*, 1st Dist. Hamilton No. C-140051, 2014-Ohio-5413, ¶ 19; *Anania v. Daubenspeck Chiropractic*, 129 Ohio App.3d 516, 521, 718 N.E.2d 480 (2d Dist.1998).

We likewise hold that the record contains no genuine issues of material fact with respect to Williams' claim for intentional infliction of emotional distress. The evidence in the record fails to demonstrate that Williams' emotional distress was so serious and severe that no reasonable person could be expected to endure it. See *Ekunsumi v. Cincinnati Restoration*, 120 Ohio App.3d 557, 562, 698 N.E.2d 503 (1st Dist.1997). The trial court did not err in granting summary judgment to the defendants on Williams' claim for intentional infliction of emotion distress. The first and second assignments of error are overruled, and the judgment of the trial court is affirmed.

A certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

**HENDON, P.J., CUNNINGHAM and MOCK, JJ.**

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<sup>1</sup> A video supporting Williams' sexual-harassment claim was not made a part of this record on appeal. But deposition testimony in the record provides a detailed description of the acts depicted in the video.

**OHIO FIRST DISTRICT COURT OF APPEALS**

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To the clerk:

Enter upon the journal of the court on August 24, 2016

per order of the court \_\_\_\_\_.  
Presiding Judge