

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

ANNETTE GRECO LITMAN,
Plaintiff-Appellant,

and

UNITED STATES OF AMERICA,
Intervenor/Plaintiff,

v.

GEORGE MASON UNIVERSITY;
GEOFFREY ORSAK; GIRARD MULHERIN,
Defendants-Appellees,

and

EUGENE M. NORRIS,
Defendant.

NATIONAL WOMEN'S LAW CENTER;
AMERICAN ASSOCIATION OF
UNIVERSITY WOMEN; AAUW LEGAL
ADVOCACY FUND; AMERICAN CIVIL
LIBERTIES UNION WOMEN'S RIGHTS
PROJECT; AMERICAN CIVIL LIBERTIES
UNION OF VIRGINIA, INCORPORATED;
CENTER FOR WOMEN POLICY STUDIES;
CONNECTICUT WOMEN'S
EDUCATION AND LEGAL FUND; EQUAL
RIGHTS ADVOCATES; FEMINIST
MAJORITY FOUNDATION; NATIONAL
ORGANIZATION OF WOMEN; NATIONAL
PARTNERSHIP FOR WOMEN AND
FAMILIES; NORTHWEST WOMEN'S LAW
CENTER; NOW LEGAL DEFENSE AND

No. 01-2128

EDUCATION FUND; TITLE IX
ADVOCACY PROJECT; TRIAL
LAWYERS FOR PUBLIC JUSTICE;
WOMEN EMPLOYED; WOMEN'S LAW
PROJECT; WOMEN'S SPORTS
FOUNDATION; UNITED STATES OF
AMERICA,
Amici Supporting Appellant.

Appeal from the United States District Court
for the Eastern District of Virginia, at Alexandria.
James C. Cacheris, Senior District Judge.
(CA-97-1755-A)

Submitted: December 17, 2003

Decided: February 25, 2004

Before NIEMEYER, MICHAEL, and TRAXLER, Circuit Judges.

Affirmed in part, vacated and remanded in part by unpublished per curiam opinion.

COUNSEL

Annette Greco Litman, Reston, Virginia, Appellant Pro Se. Ronald Curtis Forehand, William Eugene Thro, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees. Dina R. Lassow, NATIONAL WOMEN'S LAW CENTER, Washington, D.C., for Amici Curiae National Women's Law Center, American Association of University Women, AAUW Legal Advocacy Fund, American Civil Liberties Union Women's Rights Project, American Civil Liberties Union of Virginia, Incorporated, Center for Women Policy Studies, Connecticut Women's Education and Legal

Fund, Equal Rights Advocates, Feminist Majority Foundation, National Organization of Women, National Partnership for Women and Families, Northwest Women's Law Center, NOW Legal Defense and Education Fund, Title IX Advocacy Project, Trial Lawyers for Public Justice, Women Employed, Women's Law Project, Women's Sports Foundation; Linda Frances Thome, Seth Michael Galanter, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Amicus Curiae United States of America.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

OPINION

PER CURIAM:

Annette Greco Litman appeals from the order of the district court denying relief on her claims relating to sexual harassment, gender-based discrimination, and retaliation. With regard to Litman's claims unrelated to retaliation, we have reviewed the record and find no error. Accordingly, we affirm as to those claims on the reasoning of the district court. *See Litman v. George Mason Univ.*, No. CA-97-1755-A (E.D. Va., Jan. 22, 1998; Filed May 7, 1998, & Entered May 8, 1998; Filed June 14, 2000, & Entered Jun. 15, 2000; Feb. 26, 2001).

With regard to Litman's remaining claim of retaliation, after entry of final judgment in the district court, this court decided *Peters v. Jenny*, 327 F.3d 307 (4th Cir. 2003), holding that Title VI confers a private right of action for retaliation. Because Title VI and Title IX are to be interpreted in the same manner, *see Cannon v. University of Chicago*, 441 U.S. 677, 694-96 (1979), the decision in *Peters* compels the conclusion that Title IX likewise includes a private right of action for retaliation. Accordingly, we vacate that part of the district court's order dismissing Litman's retaliation claim and remand for further proceedings consistent with this opinion.

We deny Litman's pending motions to compel supplemental briefing and to file a reply brief. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

*AFFIRMED IN PART;
VACATED AND REMANDED IN PART*