UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2457

RONALD BARKHORN, et al.; MICHAEL SCHULTZ; RICHARD DELAWDER; JOHN DELAWDER,

Plaintiffs - Appellants,

and

JOHN DELWADER; RICK DEWALDER; MIKE SHULTZ; TERRY NEBLITT; JOHN ZIELINSKI; MARK HAGOHAN; JAMES RUFF; FRANCESCO SOZIO; JOE WILLIAMS; JOHN GRIFFIN; PAUL SINGER; BOB SMOOT; JOHN ZELINSKI; MARK HAGOPIAN; ROBERT SMOOT; JIM GRIFFIN,

Plaintiffs,

v.

PORTS AMERICA CHESAPEAKE, LLC,

Defendant - Appellee,

and

STEAMSHIP TRADE ASSOCIATION OF BALTIMORE,

Defendant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Susan K. Gauvey, Magistrate Judge. (1:10-cv-00750-SKG)

Submitted: April 30, 2014 Decided: May 21, 2014

Before SHEDD and FLOYD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

Ronald Barkhorn, Michael Schultz, Richard Delawder, John Delawder, Appellants Pro Se. Michael J. Collins, MICHAEL J. COLLINS, PC, Highland, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Ronald Barkhorn, Michael Schultz, Richard Delawder, and John Delawder appeal the magistrate judge's ruling* granting judgment in favor of Ports America Chesapeake, LLC ("Ports America"), after a bench trial in their civil action for discrimination and retaliation and the magistrate judge's order denying their post-judgment motions. We affirm.

We review a judgment following a bench trial under a mixed standard of review. Factual findings may be reversed only if clearly erroneous, while conclusions of law are examined de novo. Roanoke Cement Co. v. Falk Corp., 413 F.3d 431, 433 (4th Cir. 2005). "[W]hen a district court's factual finding in a bench trial is based upon assessments of witness credibility, such finding is deserving of the highest degree of appellate deference." Evergreen Int'l, S.A. v. Norfolk Dredging Co., 531 F.3d 302, 308 (4th Cir. 2008) (internal quotation marks omitted).

Having reviewed the parties' informal briefs and the record before us, we perceive no basis on which to overturn the magistrate judge's judgment. We reject as without merit Appellants' argument that the magistrate judge applied the wrong

* The parties in this case consented to the jurisdiction of the magistrate judge under 28 U.S.C. § 636(c)(1) (2012).

legal standard in assessing their prima facie case for discrimination and defer to the magistrate judge's findings - premised on credibility determinations - that Ports America's stated reasons for its employment decisions were not a pretext for discrimination. We further reject as without merit Appellants' contentions that the case should be remanded for additional fact-finding by the magistrate judge and that their earnings reflect discrimination and retaliation.

With respect to the magistrate judge's order denying Appellants' post-judgment motions, we have reviewed the record and find no reversible error. Accordingly, we affirm the magistrate judge's judgment and further affirm the denial order for the reasons stated by the magistrate judge. Barkhorn v. Ports Am. Chesapeake, LLC, No. 1:10-cv-00750-SKG (D. Md. Mar. 29 & Nov. 5, 2013). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED