

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-12445
Non-Argument Calendar

KAREN D. LAMB,

Plaintiff-Appellant,

versus

JG MANAGEMENT SERVICES, INC.,
d.b.a. Adaptigent,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:24-cv-05713-JPB

Before JORDAN, JILL PRYOR, and KIDD, Circuit Judges.

PER CURIAM:

Karen D. Lamb, proceeding *pro se*, sued her former employer, JG Management Services, Inc. (“JGM”), bringing claims under Title VII for employment discrimination and retaliation. While the case was pending, the magistrate judge denied motions in which Lamb sought his recusal and requested that the court sanction JGM. The district court ultimately dismissed Lamb’s amended complaint, concluding that she failed to state a claim for relief.

On appeal, Lamb challenges the dismissal of her amended complaint as well as the magistrate judge’s orders denying the recusal and sanctions motions. After careful consideration, we affirm.

I.

Lamb, a Black woman, worked at JGM as a senior support engineer.¹ She was one of three employees on the support team, which worked to resolve “simple and complex issues reported by customers in a timely manner.” Doc. 8 at 10.² Although each member of the team worked remotely, they consulted with each other through online messages, phone calls, and video conferences.

Lamb says that beginning in December 2021, she was harassed by another member of the support team, Paul Raulerson. She says that in online messages and meetings, Raulerson, a white

¹ At the motion to dismiss stage, we accept the well-pleaded allegations in the amended complaint as true and view them in the light most favorable to Lamb. See *Hunt v. Aimco Props., L.P.*, 814 F.3d 1213, 1218 n.2 (11th Cir. 2016).

² “Doc.” numbers refer to the district court’s docket entries.

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male, made “personal attacks on [her] character, skills, ability[,] and desire to provide quality resolutions to customers.” *Id.*

According to Lamb, the problems began when Raulerson disagreed with how she handled a customer’s request for assistance. Raulerson told Lamb that “he felt disrespected” by how she had handled the incident and stated that she was not a “team player.” *Id.* After this incident, Lamb says that Raulerson’s messages and comments at meetings “escalated to unwelcome harassment and consistent disruptions” as he tried to harm her “reputation with false and negative” comments about her work. *Id.* at 10–11.

Lamb reported Raulerson’s conduct to Larry Rondot, the manager of the support team, and asked him to address it. On multiple occasions, Rondot directed Raulerson “to cease his unprofessional conduct.” *Id.* at 11. Rondot agreed to be present “on calls/meetings between [Lamb] and Raulerson whenever possible to help monitor Raulerson’s behavior when the two needed to discuss customer issues.” *Id.* at 12. Still, Lamb says that Raulerson’s harassing conduct continued.

In May 2022, Rondot and two JGM executives met with Lamb and Raulerson. At the meeting, they discussed Lamb and Raulerson’s different “troubleshooting styles” and reminded the two to be “professional.” *Id.* at 13. At the meeting, Lamb requested “a proper resolution to the [h]arassment issue” but was told that it was a “non-issue and would not be discussed further.” *Id.*

A few months later, in October, Lamb had difficulty completing a project that was one of her performance goals for the year. She told Rondot that she needed a virtual server to complete the project. Although Rondot agreed to help, he never obtained a virtual server for her, and she was unable to complete the project.

At her year-end evaluation in December, Rondot gave Lamb a low performance rating because she had not completed the project. About ten days later, Lamb and Rondot met again. This time two other company executives attended the meeting. They told Lamb that she was terminated, citing “poor performance and the issue [she] had with” Raulerson. *Id.* at 15.

After her termination, Lamb filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC”). The EEOC gave her a right-to-sue letter.

Lamb, proceeding *pro se*, filed a lawsuit against JGM in federal court. In her initial complaint, she brought three Title VII claims. First, she brought a claim for a hostile work environment, alleging that Raulerson had harassed her. Second, she brought a retaliation claim, alleging that she was terminated because she complained about the harassment. Third, she brought a race discrimination claim arising out of her termination. JGM filed a motion to dismiss, arguing that the complaint failed to state a claim for relief.

A magistrate judge concluded that the complaint “failed to state a plausible claim for relief on any of the claims asserted.”

Doc. 7 at 1–2. As to the hostile work environment claim, he explained that the complaint alleged only that “Raulerson engaged in ‘personal attacks’ and ‘unprofessional conduct’” without showing that the “allegedly offensive or unprofessional statements were based on [Lamb’s] race.” *Id.* at 11. The magistrate judge determined that the complaint’s “conclusory and non-specific reference to Raulerson making ‘personal attacks’ and ‘unprofessional conduct’” failed to plausibly allege that any harassment was severe or pervasive. *Id.* at 12. He thus concluded that the complaint failed to state a claim for a hostile work environment.

The magistrate judge also determined that the complaint failed to state a claim for retaliation. Although Lamb alleged that she lodged complaints about Raulerson, the magistrate judge stated that “not all complaints about workplace incivility are protected under Title VII.” *Id.* at 13. To state a claim for retaliation, the magistrate judge explained, Lamb had to allege facts showing that “she specifically opposed race-based harassment or other acts of discrimination, and that there was an objectively reasonable basis to conclude that the conduct she was complaining about was illegal under Title VII.” *Id.* at 13–14. He determined that the “largely conclusory facts in [the] complaint [were] not sufficient to establish these elements.” *Id.* at 14.

The magistrate judge also concluded that the complaint failed to state a claim that Lamb was terminated because of her race. He explained that the complaint “was absent of facts that sug-

gest[ed] . . . disparate treatment on grounds of race.” *Id.* at 11. Because Lamb failed to “provide non-conclusory, factual allegations to allow a plausible inference of race-based discrimination,” the magistrate judge determined that she failed to state a claim. *Id.* at 12.

The magistrate judge then explained that because Lamb was proceeding *pro se*, she was entitled to an opportunity to amend the complaint to cure the deficiencies. He gave her an opportunity to file an amended complaint.³

Lamb filed an amended complaint. She asserted that she was discriminated against based on her race and sex.⁴ She repeatedly alleged that she was subject to “[h]arassment” and a “hostile work environment.” Doc. 8 at 13.

She also added allegations that before Raulerson began to harass her, he expressed “stereotyped views of non-white races.” *Id.* at 11. She alleged that Raulerson had said that “East Indian people . . . are lazy” and “don’t want to work.” *Id.* (citation modified). He also made comments about not “driving into the office for fear or concern about driving through bad neighborhoods.” *Id.* And she reported that Raulerson announced he was a “misogynist.” *Id.*

³ In this order, the magistrate judge held the motion to dismiss in abeyance. After Lamb filed the amended complaint, the district court denied as moot the motion to dismiss the initial complaint.

⁴ In the initial complaint, Lamb had alleged only race discrimination.

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In the amended complaint, Lamb asserted that JGM terminated her for poor performance without placing her on a performance improvement plan or warning her. She alleged that a determination that her performance was poor was a “highly invalid assessment of [her] and her work ethic.” *Id.* at 16.

In the amended complaint, Lamb again raised three claims under Title VII. She alleged that she was subjected to a hostile work environment, terminated in retaliation for reporting harassment, and terminated because of her race or sex. She alleged that she was subjected to “pervasive” harassment from Raulerson. *Id.* at 18. And she asserted that she engaged in protected conduct when she reported Raulerson’s conduct to Rondot and at the May 2022 meeting with Rondot and company executives.

JGM moved to dismiss the amended complaint. It again argued that Lamb had failed to state a claim for relief.

While the motion to dismiss was pending, Lamb filed a motion seeking the magistrate judge’s recusal on the ground that he had erroneously entered the order directing her to file an amended complaint. She argued that the magistrate judge lacked authority to enter the order because she had not consented to his hearing the case.

The magistrate judge denied the motion for recusal. He acknowledged that in general “unanimous consent of the parties is required for a Magistrate Judge to preside over a civil case, conduct trials, resolve dispositive motions, and enter judgment.” Doc. 11 at 1 (citing 28 U.S.C. § 636(c)(1)). But he explained that, even without

the parties' consent, a district court could refer a civil case to a magistrate judge for the magistrate judge to "resolve non-dispositive pretrial matters" and to "issue recommended rulings (also known as a 'Report and Recommendation') on dispositive issues." *Id.* (citing 28 U.S.C. § 636(b)).

The magistrate judge then explained that pursuant to a standing order in the Northern District of Georgia, Lamb's case had been referred to him to resolve non-dispositive matters and issue reports and recommendations on dispositive matters. Because the case had been properly assigned to him, the magistrate judge denied the motion for recusal.

While the motion to dismiss the amended complaint remained pending, Lamb sought sanctions against JGM under Federal Rule of Civil Procedure 11. She asserted that JGM had told an EEOC investigator that she was terminated for poor performance and that the company had previously counseled her about her performance. But Lamb alleged in her amended complaint that the company had not provided her with any counseling related to poor performance. She urged the district court to sanction JGM for telling the EEOC that she had "documented poor performance." Doc. 14 at 3.

The magistrate judge issued a report and recommendation that the district court grant the motion to dismiss the amended complaint. He concluded that the amended complaint failed to

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state a claim: for a hostile work environment, that Lamb was terminated in retaliation for engaging in protected conduct, or that she was terminated because of her race or sex.

Along with recommending that the district court grant JGM's motion to dismiss the amended complaint, the magistrate judge denied Lamb's motion for sanctions. He explained that she was seeking sanctions against JGM "for allegedly making false or misleading statements to the EEOC." Doc. 16 at 25. The magistrate judge noted that Lamb was "not complain[ing] of any pleadings submitted before this Court" and denied the motion for sanctions. *Id.* at 26.

Lamb objected to the magistrate judge's recommendation that the court dismiss the amended complaint. She also argued that the magistrate judge erred in denying her motions to recuse and for sanctions.

In a thorough order, the district court adopted the magistrate judge's recommendation and dismissed the amended complaint. It also rejected Lamb's challenges to the magistrate judge's orders on the motions to recuse and for sanctions.

The court began with the magistrate judge's orders on Lamb's motions. As to the motion to recuse, the court determined that Lamb's challenge to the magistrate judge's order was untimely because she filed it more than 14 days after the magistrate judge issued the order denying the motion for sanctions. But even if Lamb had filed a timely challenge, the court concluded that the magistrate judge's decision denying the motion for recusal was not

“clearly erroneous or contrary to law” because he was authorized “to handle pretrial matters in civil cases.” Doc. 20 at 5.

The court also rejected Lamb’s challenge to the decision denying the motion for sanctions. The court agreed with the magistrate judge that sanctions were not warranted because Lamb had not alleged that JGM “made false statements in its pleadings to this Court.” *Id.* at 6.

The court then addressed the motion to dismiss the amended complaint. After *de novo* review, it determined that the amended complaint failed to state a claim.

For the hostile work environment claim, the court explained that to state a claim, Lamb had to allege that the harassment she faced was “sufficiently severe or pervasive,” meaning that it was both “subjectively and objectively hostile.” *Id.* at 9 (citation modified). The court focused on whether the amended complaint’s allegations established that the harassment was “objectively hostile.” *Id.* It credited Lamb’s assertion that Raulerson engaged in harassment “almost daily.” *Id.* at 10. But it noted that the amended complaint failed to “provide[] details about what the harassment or criticism was.” *Id.* The court explained that the only allegation about the harassment was that it consisted of “personal attacks on [Lamb’s] character, skills, ability, and desire to provide quality [service] to customers.” *Id.* (citation modified). Given the lack of detail, the court concluded that the amended complaint “wholly fail[ed] to allege repeated instances of intimidation, insult[,], or ridicule that

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together amount to a particularly severe or pervasive harassment.” *Id.* (citation modified).

Next, the court considered whether Lamb had stated a claim for retaliation. It explained that to state a retaliation claim, Lamb had to allege that, among other things, she had “engaged in statutorily protected expression”—that is, that she “complain[ed] about a practice made unlawful by Title VII, i.e., discrimination based on race, color, religion, sex, or national origin.” *Id.* at 11–12 (citation modified). Because there was no indication in the amended complaint that Lamb told JGM that Raulerson was harassing her based on her race or gender, the court concluded that the amended complaint failed to state a retaliation claim.

Finally, the court turned to Lamb’s discrimination claim arising from her termination. It explained that to state a claim for race or sex discrimination, Lamb had to “allege facts that support a reasonable inference that . . . the reason for [her termination] was intentional discrimination.” *Id.* at 13. Although Lamb had asserted that Raulerson’s actions were motivated by race or gender, the court determined that there were no allegations that supported an inference that JGM was “motivated by race and gender.” *Id.* at 14. Because the allegations in the amended complaint, even when viewed in the light most favorable to Lamb, “fail[ed] to suggest intentional discrimination,” the court concluded that the amended complaint failed to state a race or sex discrimination claim for wrongful termination. *Id.*

Lamb appeals.

II.

“We review the district court’s grant of a motion to dismiss for failure to state a claim *de novo*, accepting the allegations in the complaint as true and construing them in the light most favorable to the plaintiff.” *Hunt v. Aimco Props., L.P.*, 814 F.3d 1213, 1221 (11th Cir. 2016). To survive a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6), a complaint must include “enough facts to state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). The complaint’s allegations must amount to “more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do.” *Id.* at 555.

“A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). “[W]hen determining whether the complaint crosses the line between possibility and plausibility of entitlement to relief, courts may infer from the factual allegations in the complaint obvious alternative explanations, which suggest lawful conduct rather than the unlawful conduct the plaintiff would ask the court to infer.” *Doe v. Samford Univ.*, 29 F.4th 675, 686 (11th Cir. 2022) (citation modified); *see Twombly*, 550 U.S. at 554 (holding that allegations of wrongdoing were not plausible because the facts alleged were “consistent with [liability], but just as much in line with a wide swath of” lawful conduct).

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We review for abuse of discretion a decision denying a motion for recusal. *See Gwynn v. Walker*, 532 F.3d 1304, 1308 (11th Cir. 2008). We also review for abuse of discretion an order denying a motion for sanctions. *See Didie v. Howes*, 988 F.2d 1097, 1103 (11th Cir. 1993). “The abuse of discretion standard allows a range of choice for the district court, so long as that choice does not constitute a clear error of judgment.” *Savoia-McHugh v. Glass*, 95 F.4th 1337, 1342 (11th Cir. 2024) (citation modified). “A district court abuses its discretion if it applies an incorrect legal standard, applies the law in an unreasonable or incorrect manner, follows improper procedures in making a determination, or makes findings of fact that are clearly erroneous.” *Id.* (citation modified).

Pro se filings are liberally construed. *Campbell v. Air Jam. Ltd.*, 760 F.3d 1165, 1168 (11th Cir. 2014).

III.

On appeal, Lamb raises several challenges to the district court’s orders. She argues that the district court erred in granting the motion to dismiss her amended complaint and challenges the denial of her motion seeking the magistrate judge’s recusal and her motion for sanctions. We address each issue in turn.

A.

Title VII of the Civil Rights Act makes it unlawful for a private employer to “discharge any individual . . . because of such individual’s race . . . [or] sex.” 42 U.S.C. § 2000e-2(a)(1). It also prohibits an employer from “discriminat[ing] against any individual with respect to [the] compensation, terms, conditions, or privileges

of employment, because of such individual’s race . . . [or] sex.” *Id.* And it bars an employer from “discriminat[ing] against” an employee because she “opposed any practice made an unlawful employment practice” under Title VII. *Id.* § 2000e-3(a).

In this case, Lamb raised three Title VII claims against JGM. She claimed that her employer was liable because (1) she was subjected to a hostile work environment, (2) she was terminated in retaliation for reporting the harassment, and (3) she was terminated because of her race or sex. We consider each claim in turn.

1.

We begin with whether the amended complaint stated a claim for a hostile work environment. We have recognized that Title VII protects an employee from a hostile work environment—that is, mistreatment based on a protected characteristic that is so severe or pervasive that it can be said to alter the terms, conditions, or privileges of employment. *Monaghan v. Worldpay US, Inc.*, 955 F.3d 855, 861 (11th Cir. 2020); *see McCann v. Tillman*, 526 F.3d 1370, 1378 (11th Cir. 2008) (explaining that Title VII protects an employee from a “hostile work environment,” which “involves repeated conduct, such as discriminatory intimidation, ridicule, and insult” with the claim “based on the cumulative effect of individual acts” (citation modified)).

To state a hostile work environment claim under Title VII, a plaintiff must allege that: (1) she “belongs to a protected group,” (2) she “was subjected to unwelcome harassment,” (3) “the harassment was based on [her] membership in the protected group,”

(4) the harassment was “severe or pervasive enough to alter the terms and conditions of employment and create a hostile or abusive working environment,” and (5) her “employer is responsible for that environment under a theory of either vicarious or direct liability.” *Edwards v. Prime, Inc.*, 602 F.3d 1276, 1300 (11th Cir. 2010). To show that harassment was sufficiently “severe or pervasive,” an employee must establish that her work environment was “both subjectively and objectively hostile.” *Fernandez v. Trees, Inc.*, 961 F.3d 1148, 1153 (11th Cir. 2020). In determining whether harassment was objectively hostile, courts consider: (1) “the frequency of the conduct”; (2) “the severity of the conduct”; (3) “whether the conduct [was] physically threatening or humiliating, or a mere offensive utterance”; and (4) “whether the conduct unreasonably interfere[d] with the employee’s job performance.” *Id.* (citation modified).

We conclude that the amended complaint failed to state a claim for relief. It is true that the amended complaint alleged that Lamb faced a “hostile work environment” with “pervasive” harassment. Doc. 8 at 18. But, without more, these conclusory statements are insufficient to state a claim for relief. *See Iqbal*, 556 U.S. at 678 (“Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.”). Instead, we must look at whether the amended complaint “contain[ed] sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” *Id.* (citation modified).

We agree with the district court that the amended complaint lacked sufficient factual matter to state a plausible claim that any harassment was sufficiently severe or pervasive. Although Lamb asserted that the harassment was frequent and occurred almost daily, the amended complaint contained limited information about what the harassment involved. As the district court correctly explained, “the only relevant allegation” in the amended complaint was “that the harassment topics were personal attacks on [Lamb’s] character, skills, ability, and desire to provide quality resolution to customers.” Doc. 20 at 10 (citation modified). We agree with the district court that given the absence of any allegations indicating that the “harassment was severe, physically threatening[,] or humiliating,” the amended complaint “fail[ed] to sufficiently allege facts” to state a plausible claim for a hostile work environment. *Id.*

2.

We now turn to Lamb’s retaliation claim. As we mentioned above, Title VII’s anti-retaliation provision makes it unlawful for an employer to discriminate against an employee because she opposed a practice made an unlawful employment practice by Title VII. *See* 42 U.S.C. § 2000e-3(a). To state a claim for retaliation, a plaintiff must allege that, among other things, she “engaged in statutorily protected activity.” *Moore v. Grady Mem. Hosp. Corp.*, 834 F.3d 1168, 1176 (11th Cir. 2016) (citation modified). We accept that an employee who complains that she was subject to a hostile work environment engaged in protected activity. To engage in protected activity, a plaintiff is not required to make a “formal complaint” to her employer. *Furcron v. Mail Ctrs. Plus, LLC*, 843 F.3d

1295, 1311 (11th Cir. 2016). Still, she must have “explicitly or implicitly communicated” her belief that the employer’s practice constituted unlawful employment discrimination. *Id.* (citation modified). An employee who complains to her employer about unfair treatment but does not connect the treatment to a protected classification does not engage in statutorily protected activity. *See Coutu v. Martin Cnty. Bd. of Cnty. Comm’rs*, 47 F.3d 1068, 1074 (11th Cir. 1995).

We conclude that Lamb failed to state a retaliation claim because the amended complaint did not plausibly allege that she engaged in protected activity. Certainly, Lamb alleged that she reported Raulerson’s treatment to her supervisor and company executives. But the allegations show that she reported only that Raulerson’s communications lacked civility and included harsh comments about her job performance. Because nothing in the amended complaint suggests that Lamb’s reports to JGM indicated that Raulerson’s comments and actions were tied to her race or sex, we conclude that she failed to plausibly allege that she engaged in statutorily protected conduct and thus failed to state a retaliation claim. *See id.*

3.

We now consider whether the amended complaint stated a plausible Title VII claim for wrongful termination based on race or sex. To withstand a motion to dismiss, a plaintiff bringing a Title VII race or sex discrimination claim that she was wrongfully terminated must “provide enough factual matter (taken as true) to

suggest intentional race [or sex] discrimination.” *Davis v. Coca-Cola Bottling Co. Consol.*, 516 F.3d 955, 974 (11th Cir. 2008) (quoting *Twombly*, 550 U.S. at 556). In other words, the complaint must “provide enough factual material to raise a reasonable inference, and thus a plausible claim,” that the employer terminated the employee because of her race or sex. *Speaker v. U.S. Dep’t of Health & Hum. Servs.*, 623 F.3d 1371, 1386 (11th Cir. 2010).⁵

Here, we conclude that the allegations in Lamb’s amended complaint, taken as true, do not suggest intentional discrimination. We agree entirely with the district court’s analysis that the amended complaint failed to state a claim because it included no allegations that suggested that JGM’s decision to terminate Lamb was “motivated by race [or] gender.” Doc. 20 at 14.

B.

We now consider Lamb’s challenge to the magistrate judge’s decision not to recuse himself from this case. Lamb argues that the magistrate judge was required to recuse himself because he was never assigned to her case and thus lacked any authority to issue orders in it. According to Lamb, the magistrate judge lacked

⁵ To state a claim for relief, the complaint does not need to allege sufficient facts to establish a prima facie case of discrimination under the burden-shifting framework set forth by the Supreme Court in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973). See *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506, 510 (2002) (explaining that the prima facie case requirement under *McDonnell Douglas* “is an evidentiary standard, not a pleading requirement”).

authority because the parties had not consented to proceeding before him. We see no error. Instead, we conclude that the magistrate judge had authority to enter the non-dispositive orders in this case and issue the report and recommendation that the court dismiss the amended complaint.

A federal statute sets forth the powers of magistrate judges. *See* 28 U.S.C. § 636. Under this statute, when the parties consent, a magistrate judge may “conduct any or all proceedings in a jury or nonjury civil matter and order the entry of judgment in the case.” *Id.* § 636(c)(1).

The same statute also authorizes a magistrate judge to act in certain cases without the consent of the parties. A district court may “designate a magistrate judge to hear and determine any pre-trial matter” in a civil case, unless the matter concerns a dispositive motion, such as a motion to dismiss, or certain other specified motions. *Id.* § 636(b)(1)(A). As to pretrial matters that do not concern dispositive motions, a district court may “reconsider” a magistrate judge’s ruling only when “it has been shown that the magistrate judge’s order is clearly erroneous or contrary to law.” *Id.* A party must seek review of a magistrate judge’s order from the district court “within 14 days after being served with” the magistrate judge’s order. Fed. R. Civ. P. 72(a).

As for dispositive motions, such as a motion to dismiss, the same statute authorizes the district court to designate a magistrate judge to conduct hearings and to submit a recommendation regarding the disposition of the motion. 28 U.S.C. § 636(b)(1)(B). If a

party serves a timely objection to the magistrate judge's recommendation, then the district court makes "a de novo determination of those portions of the . . . recommendations to which objection is made." *Id.* § 636(b)(1); *see* Fed. R. Civ. P. 72(b)(3).

In this case, Lamb is correct that the parties never consented to proceeding before a magistrate judge. Even so, the magistrate judge was authorized to act in this case. This is because the Northern District of Georgia has a standing order directing that any case in which a party asserts a Title VII claim is referred to a magistrate judge to "hear and determine any pretrial matters pending before the Court and to conduct hearings and submit reports and recommendations to the full extent allowed by 28 U.S.C. § 636(b)(1)(A) and (B)." N.D. Ga. Standing Order 18-01. After considering § 636 and the standing order, we conclude that the magistrate judge did not exceed his authority in this case, even though the parties did not consent to proceeding before a magistrate judge.

C.

Finally, Lamb challenges the denial of her motion seeking sanctions under Federal Rule of Civil Procedure 11.

This rule provides that by presenting a pleading, written motion, or other paper to a court, an attorney "certifies that to the best of [his or her] knowledge, information, and belief," the "factual contentions have evidentiary support or . . . will likely have evidentiary support after a reasonable opportunity for further investigation or discovery." Fed. R. Civ. P. 11(b)(3). If a court determines that Rule 11(b) has been violated, it may impose a sanction on the

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“attorney, law firm, or party that violated the rule or is responsible for the violation.” Fed. R. Civ. P. 11(c). The purpose of Rule 11 is to discourage frivolous claims or defenses and abusive litigation tactics. *Didie*, 988 F.2d at 1104.

In this case, Lamb, in effect, sought sanctions based on allegedly false statements that JGM made to an EEOC investigator before this lawsuit was filed. She identifies no sanctionable conduct while the case was pending. Neither the magistrate judge in denying the motion nor the district court in overruling Lamb’s challenge to the magistrate judge’s order was an abuse of discretion. *See id.*

IV.

For the above reasons, we **AFFIRM**.