

**APR 9 1998**

**UNITED STATES COURT OF APPEALS**  
**TENTH CIRCUIT**

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**PATRICK FISHER**  
Clerk

RON THOMPSON,

Plaintiff - Appellant,

v.

NUCOR CORPORATION,  
a Delaware corporation, doing  
business in Box Elder County, Utah,

Defendant - Appellee.

No. 97-4066

(D. Utah)

(D.C. No. 96-CV-102-C)

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**ORDER AND JUDGMENT\***

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Before **ANDERSON, BALDOCK, and MURPHY**, Circuit Judges.

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The dispositive question on appeal in this case is whether the district court abused its discretion by denying plaintiff's oral motion to amend the complaint to

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\*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

assert a claim for wrongful discharge on the basis that the employer allegedly demanded that the plaintiff act in violation of public policy.<sup>1</sup>

Upon careful review of the record and the briefs and arguments of counsel, we conclude that the district court did not err. The judgment of the district court is AFFIRMED. Appellee's motion for sanctions on appeal is denied.

ENTERED FOR THE COURT

Stephen H. Anderson  
Circuit Judge

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<sup>1</sup>Although the motion to amend was not made in writing or formalized in any way, and although the district court made no express ruling on the oral motion to amend, we construe the motion as having been properly made and expressly denied so that we can consider the issue on appeal.