

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 16-cv-02471-WYD-MJW

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Plaintiff,

v.

UNIVERSITY OF DENVER,

Defendant.

ORDER

THIS MATTER is before the Court on the Motion of Lucy Marsh to Intervene as of Right as Party Plaintiff filed December 28, 2016. No responses or objections have been filed to the motion.

Turning to my analysis, Fed. R. Civ. P. 24(a) provides that “[o]n timely motion, the court must permit anyone to intervene who: (1) is given an unconditional right to intervene by a federal statute.” Here, Intervenor Plaintiff argues, and I find, that she is granted an unconditional right to intervene in this action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.* (“Title VII”).

Thus, the EEOC initiated this action against Defendant under the enforcement authority granted it by Title VII to remedy what it had concluded were the illegal discriminatory acts of Defendant against Intervenor Plaintiff. Pursuant to 42 U.S.C. § 2000e-5(f)(1), “[t]he person or persons aggrieved [under Title VII] shall have the right to intervene in a civil action brought by the Commission” Intervenor Plaintiff Lucy

Marsh is employed by the University of Denver and filed a Charge of Discrimination with the EEOC, and I find she is an aggrieved party. Accordingly, she has a statutory right to intervene pursuant to 42 U.S.C. § 2000e-5(f)(1). *EEOC v. PJ Utah, LLC*, 822 F.3d 536, 540 (10th Cir. 2016) (holding that “employees [have] an unconditional right to intervene in EEOC enforcement actions,” pursuant to § 2000e-5(f)(1) and must be permitted to intervene under Fed. R. Civ. P. 24(a)(1)). It is therefore

ORDERED that the Motion of Lucy Marsh to Intervene as of Right as Party Plaintiff (ECF No. 11) is **GRANTED**.

Dated: January 23, 2017

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Senior United States District Judge