

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED
MAR 17 2006
LORETTA G. WHYTE
CLERK

EQUAL EMPLOYMENT OPPORTUNITY *
COMMISSION *

CIVIL ACTION NO. 05-2668

VERSUS *

SECTION C

THE KANSAS CITY SOUTHERN *
RAILWAY COMPANY, INC. (KCS) *

MAG. 2

COMPLAINT IN INTERVENTION

NOW INTO COURT, through undersigned counsel comes, Thomas D. Turner who respectfully seeks permission to intervene as authorized by Federal Rule of Civil Procedure 24 and as a matter of right authorized by Pursuant to Rules 18, 19, & 24 and 28 U.S.C. Sec. 1367.

1.

Thomas D. Turner has a pending action filed on before this Honorable Court on October 1, 2003 entitled *Thomas D. Turner v. Kansas City Southern Railway Company, Inc.* (KCS) USDC-EDLA 03-2742 Section "C". which arises out of the same facts and circumstances, occurring at the same time, involves the same set of witnesses, facts and laws as the matter contained in the EEOC's complaint; Title VII.

2.

Intervener has a companion 42 U.S.C. 1981 which arises out of the same facts, and circumstances, occurring at the same time and involves the same set of witnesses as the EEOC Title VII complaint.

3.

That the damage available for EEOC title VII action is identical to Mr. Turner's action.

Fee _____
Process _____
 Dktd _____
 CtRmDep _____
Doc. No _____

Wherefore, for these reasons, intervener prays that there be Judgment in favor of Thomas D. Turner and against Kansas City Southern Railway (KCS) in an amount to be determined by Jury, for all available premises and damages afforded by law under, all legal premises advanced, for attorney fees and costs of these proceedings and all general and equitable relief.

Respectfully submitted,



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