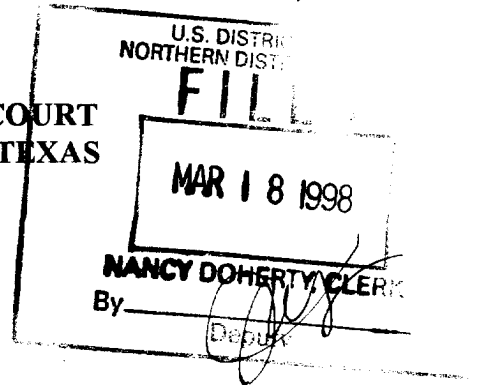


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ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



**EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,  
Plaintiff,**

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v.

CA3:97-CV-1690-BC

**THE COOPER AEROBICS CENTER,  
THE COOPER INSTITUTE FOR  
AEROBICS RESEARCH and COOPER  
AEROBICS ENTERPRISES,  
Defendants.**

**ORDER**

Before the Court is **Karen C. Austen's Motion to Intervene**, filed January 22, 1998, and the response thereto. At issue is whether Karen C. Austen should be permitted to intervene in the instant lawsuit pursuant to Fed. R. Civ. P. 24. Having considered the pertinent pleadings, the Court **GRANTS** the motion for the reasons that follow.

Federal Rule of Civil Procedure 24(a) permits certain parties to intervene when a statute of the United States confers an unconditional right to intervene. *See Fed. R. Civ. P. 24(a)*. The Civil Rights Act, provides that "the person . . . aggrieved shall have the right to intervene in a civil action brought by the Commission . . ." 42 U.S.C. § 2000e-5(f)(1); *Truvillion v. King's Daughter's Hospital*, 614 F.2d 520, 525 (5<sup>th</sup> Cir. 1980)("a private party whose interests may be affected by a suit the EEOC brings has an unqualified right to intervene in the suit . . ."); *General Telephone Co. v. E.E.O.C.*, 446 U.S. 318, 326, 100 S.Ct. 1698, 1704, 64 L.Ed.2d 319 (1980)(explaining that an aggrieved person may intervene in the EEOC's enforcement action); *See 6 Moore's Federal Practice*, § 24.02(4)(c)(Matthew Bender 3d ed).

Applying these principles to the instant case, the Court finds that Karen C. Austen should be

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permitted to intervene in this matter. On July 15, 1997, the EEOC filed the instant cause of action against the defendant alleging violations of Title VII. Specifically, in their Complaint, the EEOC alleged that the defendant subjected Karen C. Austen to a sexually hostile work environment and engaged in unlawful retaliation by terminating her employment after she complained about the alleged harassment. On January 22, 1998, Karen C. Austen filed the instant motion seeking to intervene in the EEOC's cause of action on the grounds that she is the aggrieved party. Accordingly, the undersigned finds that Karen C. Austen should be permitted to intervene pursuant to 42 U.S.C. § 2000e-5(f)(1).

For the foregoing reasons, the Court hereby **ORDERS** that the Motion to Intervene be **GRANTED**.

**SO ORDERED.** March 18<sup>th</sup>, 1998.

  
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**UNITED STATES MAGISTRATE JUDGE  
JANE J. BOYLE**