

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION

G. C. SIMKINS, JR., ET AL.,)
)
 Plaintiffs)
)
 v.)
)
 MOSES H. CONE MEMORIAL)
 HOSPITAL, ET AL.,)
)
 Defendants.)
)
 UNITED STATES, Applicant for)
 Intervention.)
 _____)

No. C-57-C-68

MOTION TO INTERVENE

The United States of America, pursuant to Title 28, Section 2403, United States Code, and Rule 24 of the Federal Rules of Civil Procedure, moves to intervene as a party herein for the purpose and with all the rights provided by Title 28, Section 2403, United States Code, and by said Rule 24, on the grounds that the constitutionality of an Act of Congress, Title VI of the Public Health Service Act (42 U.S.C. 291 et seq.), affecting the public interest is drawn into question in this action and neither the United States, nor any agency thereof, nor any officer or employee thereof, as such officer or employee, is a party hereto.

Annexed hereto is the Pleading of the United States
in Intervention which is filed in accordance with Rule 24(c) of
the Federal Rules of Civil Procedure.

BURKE MARSHALL
Assistant Attorney General

WILLIAM H. MURDOCK
United States Attorney

ST. JOHN BARRETT, Attorney
Department of Justice

THEODORE R. NEWMAN, JR., Attorney
Department of Justice