

TRACY REED, ET AL

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NO. 2002-C-0427

VERSUS

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COURT OF APPEAL

**NORFOLK-SOUTHERN
RAILWAY COMPANY, ET AL.**

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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C/W

C/W

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KEVIN C. K. IMBROUGH

NO. 2002-C-0428

VERSUS

**NORFOLK-SOUTHERN
RAILWAY COMPANY, ET AL.**

C/W

C/W

LINDA LECOQ

NO. 2002-C-0429

VERSUS

**NORFOLK-SOUTHERN
RAILWAY COMPANY, ET AL.**

C/W

C/W

SARAH E. O'CONNOR

NO. 2002-C-0430

VERSUS

**NORFOLK-SOUTHERN
RAILWAY COMPANY, ET AL.**

MURRAY, J., CONCURS WITH REASONS

I concur in the result because I find no material distinction between this case and *Anderson v. Norfolk Southern Railway Company, et al.*, which this court recently decided and which is relied upon by the majority herein. However, I note that in both *Anderson* and the instant case, I believe the court is imposing an

additional and unduly harsh burden upon the plaintiff by requiring that his counsel make a second inquiry to the clerk of court (before the expiration of the ninety-day time period) as to why counsel's initial, timely request for service has not yet been acted upon by the clerk of court.