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June 12, 2012

**VIA E-MAIL: smith_chambers@alnd.uscourts.gov
and U.S. MAIL**Hon. C. Lynwood Smith, Jr.
United States District Judge
United States District Court for the Northern District of Alabama
101 Holmes Avenue NE
Huntsville, Alabama 35801**Re: Andre Murrell v. Kohler Company, Inc.
U.S. District Court, Northern District of Alabama, Northeastern Division
Civil Action No. CV-09-S-2156-NE**

Dear Judge Smith:

In response to your request at the hearing yesterday on the defendant's motions for summary judgment, I have attached three documents. The first two reflect Supervisor Shayla Bennett's original suspension on August 20, 2007 (Plaintiff's Initial Disclosure Documents 0306), and the continuation of that suspension on August 27, 2007, pending the completion of Kohler's investigation of Mr. Murrell's complaint against her (Plaintiff's Initial Disclosure Documents 0304). The third document reflects Ms. Bennett's subsequent resignation on September 6, 2007 (Plaintiff's Initial Disclosure Documents 0303).

Please contact me if you have any further questions or concerns. Thank you for your time and consideration.

Sincerely,

Spencer A. Kinderman
Attorney for Kohler Company, Inc.SAK/klm
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August 20, 2007


Re: Shayla Bennett

Ross and Wendell called Shayla around 3:30 p.m. and left a message for her to return their call. Shayla returned their call at 5:20 p.m.

Shayla was informed that Andre Murrell had filed a grievance on August 18, 2007 alleging sexual harassment against her. Between the most recent incident and the previous handling of overtime with Andre he felt intimidated by her. Due to these issues after being issued a final warning she was to receive a three day suspension without pay.

Shayla immediately began explaining how the overtime situation was not handled incorrectly and that we should "ask Hog" (Steve Noblitt). She said Andre is harassing her by not letter her do her job.

Shayla was told the suspension would be effective starting tonight, August 20, 2007. She was then told to call Ross or Wendell and set up a time to come in and discuss the matter further, within the next three days. Shayla said "uh-huh" and hung up abruptly.

 8/21/07

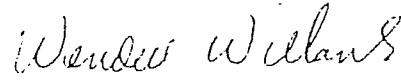
Ross Ingram
Area Supervisor

Wendell Wilbanks 8/21/07

Wendell Wilbanks
Area Supervisor

August 27, 2007

Shayla Bennett has been informed by phone that she is to remain on unpaid suspension until the investigation is complete and a decision is made regarding future employment.

A handwritten signature in cursive script that reads "Wendell Wilbanks".

Wendell Wilbanks
Area Supervisor

Shayla L. Bennett

Redacted

Mr. Jonathan Kyle
Plant Manager
Kohler Company
176 Cochran Road
Huntsville, AL 35813

September 6, 2007

Dear Mr. Kyle:

I would like to inform you that I am resigning from my position as Shift Supervisor from Kohler Company, effective September 6, 2007.

Thank you for the opportunities provided to develop both professionally and personally with Kohler Company and its associates during the last two years. I have enjoyed working with the company and appreciate the support you have provided for me during my time with you.

If I can be of any assistance during this transition, please let me know.

Sincerely yours,

Shayla L. Bennett

Shayla L. Bennett