

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:10-CV-102-F

EQUAL EMPLOYMENT)
OPPORTUNITY COMMISSION,)
)
Plaintiff,)
)
v.)
)
SAFELITE GLASS CORP.,)
)
Defendant.)
_____)

ORDER

THIS MATTER is before the Court on the unopposed Verified Motion to Intervene pursuant to Rule 24 of the Federal Rules of Civil Procedure of Intervenor Lee Laraviere-Steele and Intervenor Darrell Steele. Based upon the facts alleged in the verified motion and arguments of counsel, the Court makes the following:

FINDINGS OF FACT

1. That this action involves a suit filed by the U. S. Equal Employment Opportunity Commission against Safelite Glass Corp., under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991, to correct unlawful employment practices on the basis of sex and retaliation and to provide appropriate relief to Intervenor Lee Laraviere-Steele, who was allegedly adversely affected by such practices.
2. That Intervenor Lee Laraviere-Steele's right to intervene in this matter is conferred by 42 U.S.C. § 2000e-5(f)(1) and is unconditional.
3. That Intervenor Lee Laraviere-Steele's motion is timely under Rule 24(a) of the Federal Rules of Civil Procedure in that the pending action was recently filed on or about August 6, 2010 and therefore said intervention will not unduly delay or prejudice the adjudication of the rights of the original parties.

4. That Intervenor Darrell Steele has a claim against a party to this action that involves a question of law or fact common to that which will be decided in this action, to wit: Intervenor Darrell Steele, as the lawful husband of Intervenor Lee Laraviere-Steele, has a valid claim for loss of consortium against the defendant in this action, which claim derives from the defendant's alleged wrongful actions against Intervenor Lee Laraviere-Steele.

5. That allowing Intervenor Darrell Steele's intervention will not unduly delay or prejudice the adjudication of the rights of the original parties in accordance with Rule 24(b) of the Federal Rules of Civil Procedure.

6. That both Intervenor Lee Laraviere-Steele and Intervenor Darrell Steele attached to their Motion to Intervene a Complaint setting forth the claims for which intervention is sought.

BASED UPON the foregoing Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

1. That the pending action involves a suit filed by the Equal Employment Opportunity Commission against Safelite Glass Corp., under Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991, to correct unlawful employment practices on the basis of sex and retaliation and to provide appropriate relief to Intervenor Lee Laraviere-Steele, who was allegedly adversely affected by such practices.

2. That Intervenor Lee Laraviere-Steele's right to intervene in this matter is conferred by 42 U.S.C. § 2000e-5(f)(1) and is unconditional.

3. That Intervenor Lee Laraviere-Steele's motion is timely under Rule 24(a) of the Federal Rules of Civil Procedure and allowing said intervention will not unduly delay or prejudice the adjudication of the rights of the original parties.

4. That Intervenor Darrell Steele has a claim against a party to this action that involves a question of law or fact common to that which will be decided in the action.


5. That allowing Intervenor Darrell Steele's intervention will not unduly delay or prejudice the adjudication of the rights of the original parties in accordance with Rule 24(b) of the Federal Rules of Civil Procedure.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. That Intervenor Lee Laraviere-Steele and Intervenor Darrell Steele are permitted to intervene in this action.

2. That Intervenor Lee Laraviere-Steele and Intervenor Darrell Steele shall be permitted to file their Complaint in this action and shall be permitted thereafter to fully participate in hearings on all proceedings in this action.

SO ORDERED, this the 15th day of February, 2011.



James C. Fox
Senior United States District Judge