

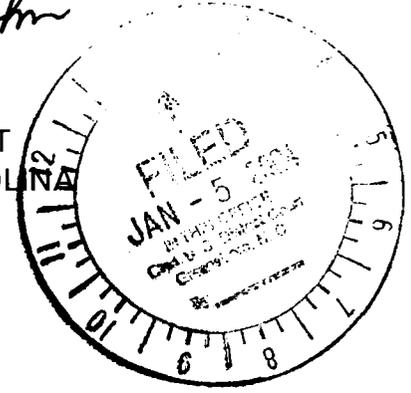
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



bkm
C. H. KIRKMAN, JR.,

Plaintiff,

v.

Case No. 1:01CV850

NORTH CAROLINA RAILROAD COMPANY;
NORFOLK SOUTHERN RAILWAY
COMPANY; and QWEST
COMMUNICATIONS CORPORATION;

Defendants.

JUDGMENT

TILLEY, Chief Judge.

For the reasons set forth in a contemporaneously filed Memorandum
Opinion, the Plaintiff's Motion to Certify a Class Action [Doc. #11] is DENIED.

This, the 31 day of December, 2003.

J. Carter Tilley
United States District Judge