

# The Burger Court Opinion Writing Database

*Love v. Pullman Co.*

404 U.S. 522 (1972)

Paul J. Wahlbeck, George Washington University

James F. Spriggs, II, Washington University

Forrest Maltzman, George Washington University



Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
THE CHIEF JUSTICE

January 6, 1972

No. 70-37 -- U.S. v. Pullman Company  
No. 70-5033- Love v. Pullman Company

Dear Potter:

Please join me in the above.

Regards,

W. R. D.

Mr. Justice Stewart

Copies to the Conference

*SJ*  
Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM O. DOUGLAS

December 28, 1971

Dear Potter:

Please join me in your Per Curiam  
in No. 70-5033 - Love v. Pullman Co. and  
No. 70-37 - U. S. v. Pullman Co.

W. O. D.

*W. O. D.*

Mr. Justice Stewart

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR. December 29, 1971

RE: No. 70-5033 and 70-37 - Love v. Pullman  
Co. & United States v. Pullman Company

Dear Potter:

I agree.

Sincerely,

*Brennan*

Mr. Justice Stewart

cc: The Conference

6  
*Please file me*  
*M*  
~~Max~~  
1st DRAFT

To: The Chief Justice  
Mr. Justice [redacted]  
Mr. Justice [redacted]

From: [redacted] J. DEC 17

Circulated: \_\_\_\_\_

Recirculated: \_\_\_\_\_

## SUPREME COURT OF THE UNITED STATES

No. 70-5033 AND 70-37

Earl A. Love, Petitioner.  
70-5033 v.

The Pullman Company.  
United States et al.,  
Petitioners,  
70-37 v.

On Writ of Certiorari to the  
United States Court of Appeals  
for the Tenth Circuit.

The Pullman Company.

[January —, 1972]

### PER CURIAM.

A person claiming to be aggrieved by a violation of Title VII of the Civil Rights Act of 1964<sup>1</sup> may not maintain a suit for redress in Federal District Court until he has first unsuccessfully pursued certain avenues of potential administrative relief. In this case the petitioner filed a complaint in the United States District Court for the District of Colorado, alleging that his employer, the respondent Pullman Company, had engaged in employment practices violative of Title VII. The court dismissed the complaint, holding that the statutory prerequisites to the maintenance of the suit had not been met. The Court of Appeals affirmed, 430 F. 2d 49, and we granted certiorari to consider the question of federal law presented. 401 U. S. 97.

The petitioner was employed by the Pullman Company as a "porter-in-charge." In 1963 and again in 1965, he complained to the Colorado Civil Rights Commission, alleging that the porters-in-charge, most of

<sup>1</sup> §§ 701-716, 42 U. S. C. §§ 2000e to 2000e-15 (1970).

B1

To: The Chief Justice  
Mr. Justice Black  
Mr. Justice Brennan  
Mr. Justice White  
Mr. Justice Marshall  
Mr. Justice Blackmun  
Mr. Justice Powell  
Mr. Justice Rehnquist

2nd DRAFT

From: Stewart, J.

Originalated: JAN 1 1  
Recirculated: JAN 1 1

**SUPREME COURT OF THE UNITED STATES**

No. 70-5033 AND 70-37

Earl A. Love, Petitioner,  
70-5033 v.  
The Pullman Company.  
United States et al.  
Petitioners,  
70-37 v.  
The Pullman Company.

On Writ of Certiorari to the  
United States Court of Appeals  
for the Tenth Circuit.

[January —, 1972]

MR. JUSTICE STEWART delivered the opinion of the Court.

A person claiming to be aggrieved by a violation of Title VII of the Civil Rights Act of 1964<sup>1</sup> may not maintain a suit for redress in Federal District Court until he has first unsuccessfully pursued certain avenues of potential administrative relief. In this case the petitioner filed a complaint in the United States District Court for the District of Colorado, alleging that his employer, the respondent Pullman Company, had engaged in employment practices violative of Title VII. The court dismissed the complaint, holding that the statutory prerequisites to the maintenance of the suit had not been met. The Court of Appeals affirmed, 430 F. 2d 49, and we granted certiorari to consider the question of federal law presented. 401 U. S. 907.

The petitioner was employed by the Pullman Company as a "porter-in-charge." In 1963 and again in 1965, he complained to the Colorado Civil Rights Com-

<sup>1</sup> §§ 701-716, 42 U. S. C. §§ 2000e to 20003-15 (1970).

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE BYRON R. WHITE

January 5, 1972

Re: Nos. 70-5033 & 70-37 - Love  
v. The Pullman Co.

Dear Potter:

Please join me in the per  
curiam you have prepared in this  
case.

Sincerely,



Mr. Justice Stewart

Copies to Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE THURGOOD MARSHALL

December 29, 1971

Re: No. 70-37 and 70-5033 - U. S. v. Pullman Co.

Dear Potter:

Please join me.

Sincerely,

  
T.M.

Mr. Justice Stewart

cc: The Conference

*H B*  
Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

January 6, 1972

Re: No. 70-5033 - Love v. Pullman Co.  
No. 70-37 - U.S. v. Pullman Co.

Dear Potter:

Please join me.

Sincerely,

*HAB*

Mr. Justice Stewart

cc: The Conference