

No. 15-5240

In the
United States Court of Appeals
for the Sixth Circuit

WILLIAM R. WIGGINS
Plaintiff-Appellant,

v.

**KIMBERLY-CLARK CORPORATION; KENDRA PRESLEY; JAMEY
GRIZZLE**
Defendants-Appellees.

On Appeal from the United States District Court for the
Eastern District of Tennessee at Knoxville

PLAINTIFF-APPELLANT'S BRIEF

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[Oral Argument Requested]

**STATEMENT OF CORPORATE AFFILIATIONS AND
FINANICAL INTEREST**

Sixth Circuit Case Number: 15-5240

Case Name: *William R. Wiggins v. Kimberly-Clark Corporation; Kendra Presley; Jamey Grizzle*

Name of Counsel: George T. Underwood, Jr.

Pursuant to 6th Cir. R. 26.1, William R. Wiggins, Appellant, makes the following disclosure:

- I. Is said party a subsidiary or affiliate of a publicly owned corporation? If Yes, list below the identity of the parent corporation or affiliate and the relationship between it and the named party: No.

- II. Is there a publicly owned corporation, not a party to the appeal, that has a financial interest in the outcome? If yes, list the identity of such corporation and the nature of the financial interest. N/A.

Dated: June 4, 2015

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APPELLANT'S STATEMENT IN SUPPORT OF ORAL ARGUMENT

Oral argument is requested pursuant to 6 Cir. R. 34. This case involves complex issues relating to the legality of coerced intrusive direct observation urine drug testing procedures used on Appellant by a private corporation which is a U.S. contractor. Oral argument would assist this Court in reaching a full understanding of the underlying facts and the parties' positions, as well as allow the parties to address any outstanding factual or legal issues which this Court considers relevant. Accordingly, Appellant, William R. Wiggins, deems oral argument would be important and helpful.

JURISDICTIONAL STATEMENT

The instant appeal is from a final order of the United States District Court of the Eastern District of Tennessee (Knoxville Division) dated February 3, 2015 which dismissed all Appellant's remaining claims against Appellee. Included in the scope of this appeal is the earlier order of dismissal of Appellant's original seven (7) contract claims, by the first District Judge presiding in this case, on October 12, 2012. Jurisdiction of the District Court was invoked by Appellee, which removed the state court case to the District Court based on diversity jurisdiction, 28 U.S.C. § 1332. Appellant was a resident of Tennessee. Appellee was a resident of Delaware. John Doe's residency was unknown at the time the original complaint was filed.

The Orders appealed from, which dismissed all Appellant's claims under Federal Rule of Civil Procedure 12(b)(6) and Rule 56, is reviewable by this Court on a *de novo* basis, In re: Holdings Co., LLC, 622 F.3d 613, 618 (6th Cir. 2010), and is an appealable order pursuant to Fed. R. App. P. 3.

The Final Judgment dismissing all of Appellant's claims with prejudice was entered February 3, 2015. This appeal has been invoked by timely notice filed in the District Court on February 27, 2015.

The balance of the brief has been eliminated for this sample. For a copy of the complete brief please call our office. Thank you.