

**EXHIBIT A**

UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT

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No: 21-1355

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Timothy O'Laughlin

Plaintiff - Appellant

v.

The Boeing Company; Dan Schell; Bob McDaniels

Defendants - Appellees

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Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis  
(4:18-cv-01552-NCC)

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**JUDGMENT**

Before BENTON, KELLY, and KOBES, Circuit Judges.

Appellant's motion for leave to proceed on appeal in forma pauperis is granted. This court has reviewed the original file of the United States District Court. It is ordered by the court that the judgment of the district court is summarily affirmed. See Eighth Circuit Rule 47A(a).

March 24, 2021

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

**EXHIBIT B**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TIMOTHY O'LAUGHLIN,

Plaintiff,

v.

THE BOEING COMPANY, et al.,

Defendants.

No. 4:18-CV-1552 NCC

**MEMORANDUM AND ORDER**

Before the Court is plaintiff's post-appellate motion for reconsideration of the dismissal of his employment discrimination lawsuit. After reviewing the grounds raised by plaintiff, the Court will decline to alter or amend the judgment of this Court. The Court concludes that plaintiff's motion fails to point to any manifest errors of law or fact, or any newly discovered evidence.

For example, plaintiff has still failed to produce a timely filed charge of discrimination in this action, stating instead that although he filed a timely charge, it was "lost in a fire." This directly contradicts his sworn testimony in his complaint that although he was terminated by The Boeing Company in August of 2000, he did not file a charge of discrimination with the EEOC until October of 2010, over nine years later. Therefore, plaintiff's filing was way outside the 300-day time period required by 42 U.S.C. § 2000e-5(e)(1) and his case is subject to dismissal for failure to timely exhaust his administrative remedies. Plaintiff is therefore not entitled to reconsideration of the dismissal of this action, and his motion will be denied.

To the extent plaintiff wishes to bring arguments relative to his competency and his request for conditional or unconditional release from confinement, he must file a separate habeas action in

Rochester, Minnesota. Plaintiff will not, however, will be allowed to file any additional motions in this closed action.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for reconsideration of the dismissal of his employment discrimination action [Doc. #27] is **DENIED**.

**IT IS FURTHER ORDERED** that an appeal of this action would not be taken in good faith.

**IT IS FURTHER ORDERED** that to the extent plaintiff wishes to bring arguments relative to his competency and his request for conditional or unconditional release from confinement, he must file a separate habeas action in the United States District Court for the District of Minnesota.

**IT IS FURTHER ORDERED** that plaintiff shall not be allowed to file any additional motions or filings in this closed action. Any filings by plaintiff in this action shall be returned by the Clerk of Court.

Dated this 4th day of January, 2021.



RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 21-1355

Timothy O'Laughlin

Appellant

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The Boeing Company, et al.

Appellees

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**ORDER**

The initial and amended petitions for rehearing en banc are denied. The initial and amended petitions for rehearing by the panel are also denied.

May 10, 2021

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

**Additional material  
from this filing is  
available in the  
Clerk's Office.**