

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

Case No. 00-2214

**CAROL HARLEY; LENORA BANASZEWSKI; MICHAEL L. PAYTON;  
RICHARD ZOESCH, individually and on behalf of all others similarly  
situated**

**Plaintiffs - Appellants**

**v.**

**MINNESOTA MINING AND MANUFACTURING COMPANY**

**Defendant - Appellee**

**On Appeal from the United States District Court for the District of  
Minnesota  
Case No. 96-CV-488 JRT/RLE**

**BRIEF OF THE SECRETARY OF LABOR AS AMICUS CURIAE  
IN SUPPORT OF APPELLANTS AND REVERSAL**

**HENRY L. SOLANO  
Solicitor of Labor**

**ALLEN H. FELDMAN  
Acting Associate Solicitor**

**N4611**

**Sara Pikofsky  
Trial Attorney  
U.S. Department of Labor  
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