

2006 WL 1773592 (N.D.Ill.) (Trial Pleading)
United States District Court, N.D. Illinois,
Eastern Division.

Stacey GRIFFIN, Carrie, Babb, Jada Johnson, Nikita Lockett, and Monica Moniuszko, Plaintiffs,
v.
SUTTON FORD, INC., Richard Muhammed, and Louis Minter, Defendants.

No. 06 C 0931.
May 31, 2006.

Plaintiffs' Second Amended Complaint

Uche O. Asonye - 06209522, Mark Pando - 6283683, Craig T. Papka - 6287051, Asonye & Associates, 11 South LaSalle Street, Suite 2140, Chicago, Illinois 60603, (312) 795-9110, (312) 795-9114 (Fax)

Stacey Griffin, Carrie Babb, Jada Johnson, Nikita Lockett, and Monica Moniuszko, Uche O. Asonye, One of their Attorneys

Judge: Bucklo.

Magistrate: Ashman.

Plaintiffs, by their undersigned attorney, and for their Second Amended Complaint against Defendants, state as follows:

NATURE OF THE CASE

1. The causes of action for the Plaintiffs arise under Title VII of the Civil Rights Act 42 U.S.C. Section 2000e as amended, 28 U.S.C. Paragraph 1331, and 28 U.S.C. 1367.

JURISDICTION AND VENUE

2. That this Court has jurisdiction over this matter based upon 42 U.S.C. 2000e, 28 U.S.C. Paragraph 1331, and 28 U.S.C. 1367.

3. That Plaintiff, CARRIE BABB ("BABB"), also brings her racial discrimination claims pursuant to 42 U.S.C. Section 1981.

4. That venue in the Northern District of Illinois is proper. The claim for relief arose in this state as required by 42 U.S.C. 2000e.

5. That all conditions precedent have been fulfilled by Plaintiff, STACEY GRIFFIN ("GRIFFIN"). On or about November 29, 2004, she filed a charge of discrimination #210-2005-01240 with the United States Equal Employment Opportunity Commission ("EEOC"), alleging sexual harassment and retaliation. GRIFFIN received her right-to-sue letter from the EEOC on March 29, 2006. Said right-to-sue letter and charge are attached and incorporated herein. (Attached as Exhibit 1).

6. That all conditions precedent have been fulfilled by Plaintiff, BABB. On or about November 29, 2004, she filed a charge of discrimination # 210-2005-01238 with the EEOC, alleging sexual harassment, racial harassment, retaliation, and constructive discharge. BABB received her right-to-sue letter from the EEOC on March 29, 2006. Said right-to-sue letter and charge are attached and incorporated herein. (Attached as Exhibit 2).

7. That all conditions precedent have been fulfilled by Plaintiff, JADA JOHNSON (“JOHNSON”). On or about November 29, 2004, she filed a charge of discrimination # 210-2005-01243 with the EEOC, alleging sexual harassment and retaliation. JOHNSON received her right-to-sue letter from the EEOC on March 29, 2006. Said right-to-sue letter and charge are attached and incorporated herein. (Attached as Exhibit 3).

8. That all conditions precedent have been fulfilled by Plaintiff, NIKITA LOCKETT (“LOCKETT”). On or about July 25, 2005, she filed a charge of discrimination # 210-2005-07816 with the EEOC, alleging sexual harassment. LOCKETT received her right-to-sue letter from the EEOC on March 29, 2006. Said right-to-sue letter and charge are attached and incorporated herein. (Attached as Exhibit 4).

9. That all conditions precedent have been fulfilled by Plaintiff, MONICA MONIUSZKO (“MONIUSZKO”). On or about January 12, 2005, she filed a charge of discrimination # 210-2005-01242 with the EEOC, alleging sexual harassment and retaliation. MONIUSZKO received her right-to-sue letter from the EEOC on March 29, 2006. Said right-to-sue letter and charge are attached and incorporated herein. (Attached as Exhibit 5).

10. That Plaintiff MONIUSZKO brings her complaint in reliance on her own charge and those of her co-Plaintiffs pursuant to the single filing rule and continuing violations doctrine. The charges of her co-Plaintiffs are not defective and her claims arose out of similar discriminatory treatment, and in the same time frame as theirs.

11. That Plaintiffs cooperated with the EEOC’s investigations of their charges in this matter.

PARTIES

12. That Plaintiff, BABB, is female and a resident of the state of Illinois.

13. That Plaintiff, GRIFFIN, is female and a resident of the state of Illinois.

14. That Plaintiff, JOHNSON, is female and was a resident of the state of Illinois.

15. That Plaintiff, LOCKETT, is female and a resident of the state of Illinois.

16. That Plaintiff, MONIUSZKO, is female and a resident of the state of Illinois.

17. That Defendant, SUTTON FORD, INC. (“SUTTON FORD”), is duly registered to conduct business in the state of Illinois.

18. That at all times relevant herein, SUTTON FORD was engaged in an industry affecting commerce and has had fifteen (15) or more employees for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year.

19. That at all times relevant herein, RICHARD MU HAM MED (“MUHAMMED”) was employed by Defendant as a manager.

20. That at all times relevant herein, LOUIS MINTER (“MINTER”) was employed by Defendant as a salesperson.

21. That at all times relevant herein, RAMONE (LNU) (“RAMONE”) was employed by Defendant as a porter.

22. That at all times relevant herein, EDDIE (LNU) (“EDDIE”) was employed by Defendant as a manager.

23. That at all times relevant herein, JOHN LEFEBER was employed by Defendant as a manager.

24. That at all times relevant herein, RAY LEFEBER was employed by Defendant as a manager.

25. That at all times relevant herein, JIM IRVING (“IRVING”) was employed by Defendant as a manager.
26. That at all times relevant herein, CHARLES THATCHER (“THATCHER”) was employed by Defendant as a salesperson.
27. That at all times relevant herein, MICHAEL STEIHLER (“STEIHLER”) was employed by Defendant as a salesperson.
28. That at all times relevant herein, MARK RADIGURO (“RADIGURO”) was employed by Defendant as a salesperson.
29. That at all times relevant herein, SUTTON FORD, its managers, and employees created an environment which encouraged and fostered a sexually hostile work environment for Plaintiffs and other females. SUTTON FORD failed to take effective preventive or remedial action.
30. That SUTTON FORD’s officers and agents must also have been aware of this ongoing sexually hostile work environment because it occurred on a daily basis, in an open and notorious manner, and was authored by various management and non-management employees daily to the observation of employees, supervisors, and managers alike.
31. That as a result of the sexually harassing conduct, Plaintiffs and other female employees were adversely impacted by the various tangible employment actions taken against them by SUTTON FORD and its managerial agents.

COUNT I

COMPLAINT OF STACEY GRIFFIN FOR HOSTILE ENVIRONMENT SEXUAL HARASSMENT DIRECTED AT SUTTON FORD, INC.

32. That GRIFFIN incorporates the preceding paragraphs by reference here.
33. That Plaintiff was hired by Defendant, SUTTON FORD, in November 2002 as a salesperson.
34. That during her employment, GRIFFIN performed her assigned tasks in a satisfactory and conscientious manner according to Defendant’s standards.
35. That at relevant times during her employment with Defendant, GRIFFIN was supervised by EDDIE, JOHN LEFEBER, RAY LEFEBER, and MUHAMMED.
36. That starting in January of 2004 and continuing until October 2004, GRIFFIN was subjected to persistent sexual harassment by MUHAMMED. Such harassing conduct included sexually offensive comments on a daily basis as well as inappropriate touching.
37. That MUHAMMED’s sexually harassing comments and inappropriate touching of GRIFFIN occurred at least twenty (20) times per week.
38. That on one occasion during July of 2004, MUHAMMED grabbed GRIFFIN’s vaginal area and stated, “Yeah, I knew you had a fat pussy!”
39. That on another occasion, MUHAMMED grabbed GRIFFIN’s shirt, pulled it away from her body, and stated, “I just wanted to see what color bra you have on.”
40. That from January 2004 through October 2004, MUHAMMED slapped GRIFFIN’s buttocks multiple times a week and once touched GRIFFIN’s leg and asked her, “Do you shave?”
41. That MUHAMMED directed such and other sexually offensive comments to GRIFFIN on a daily basis, asked her for

sexual favors and acts, requested that she perform sexual favors in order for her deals to close, requested that she show him her body parts, and threatened to expose his private parts to her.

42. That GRIFFIN observed MU HAM MED humiliate other females by directing sexually explicit comments to them and requesting sexual favors in order for them to enjoy the ordinary benefits of employment.

43. That on one occasion, MUHAMMED locked his office door with MARQUITA DUNBAR (“DUNBAR”) inside. MUHAMMED pulled his pants down and asked DUNBAR to “suck” his dick. DUNBAR’s mother complained to SUTTON about this incident.

44. That even though other members of management witnessed MUHAMMED’s conduct, he was neither disciplined nor asked to stop. Instead, SUTTON FORD’s agents, and her co-workers sabotaged GRIFFIN’S work and spread false rumors about her in an attempt to cause her to be disciplined, with impunity.

45. That in December of 2002, GRIFFIN was sexually harassed and subjected to sexually offensive language and unwelcome bodily contact of a sexual nature by EDDIE. EDDIE would grab GRIFFIN’S hands when she brought him work-related documents and made various sexually offensive comments to her during this period.

46. That starting in December of 2002 and continuing until October 2004, GRIFFIN was sexually harassed by RAMONE (LNU) who directed sexually offensive comments and requests for sexual favors to GRIFFIN on a daily basis.

47. That on one occasion, RAMONE grabbed his penis while urging GRIFFIN to give him just “one chance.”

48. That MARVIN (LNU; “MARVIN”), the manager of the porter team, also observed numerous instances during which RAMONE made sexually offensive comments and gestures to GRIFFIN.

49. That in addition to her complaints, members of SUTTON’s management observed RAMONE’s sexually harassing conduct but took no remedial action.

50. That starting in January of 2003, GRIFFIN was sexually harassed by JOHN LEFEBER (“LEFEBER”), manager. LEFEBER directed sexually offensive comments and requests for sexual favors to GRIFFIN on a daily basis.

51. That throughout his employment, LEFEBER would stare at GRIFFIN for prolonged periods of time, thus making her uncomfortable.

52. That starting in January of 2003, and continuing until October 2004, GRIFFIN was subjected to sexually explicit comments, cat calls, unwelcome bodily contact, and requests for sexual favors to her in the hands of MINTER on a daily basis.

53. That on occasion, MINTER would crawl under GRIFFIN’S desk to view her underwear, comment on its color, and loudly express his desire to remain under the desk for such view.

54. That MINTER once grabbed his penis while commenting that GRIFFIN would leave her husband once she gets a hold of his penis.

55. That members of SUTTON’s management such as VATES and RANDOLPH observed MINTER’s sexually inappropriate behavior and took no remedial action.

56. That starting in January of 2003 and continuing, GRIFFIN was subjected to sexual harassment by RAY LEFEBER, manager, who routinely invited exotic dancers and strippers to SUTTON FORD’s premises, causing male employees to follow with sexually explicit conversation and commentary.

57. That starting in 2003 and continuing until October 2004, GRIFFIN was subjected to sexual harassment, sexually offensive comments, and requests for sexual favors by IRVING on a daily basis.

58. That as a result, MUHAMMED, EDDIE, JOHN LEFEBER, RAY LEFEBER, MINTER, RAMONE, and IRVING continued their conduct, and extended their harassment and assault to other females under their supervision or that worked with them.

59. That Defendant's treatment of GRIFFIN was motivated by evil motive and intent, and was in reckless and callous indifference to GRIFFIN'S federally protected rights.

60. That as a direct and proximate result of said unlawful employment practices, GRIFFIN has suffered the indignity of discrimination, the invasion of her right to be free from discrimination, and great humiliation which has manifested in physical illnesses, and emotional stress on the relationships between GRIFFIN and her friends and family.

61. That as a further direct and proximate result of said unlawful employment practices, GRIFFIN has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, harm to her employability and earning capacity, painful embarrassment among her friends and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, GRIFFIN respectfully requests that this Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.
- b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.
- c. Award Plaintiff, GRIFFIN, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- d. Award Plaintiff, GRIFFIN, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- e. Award Plaintiff, GRIFFIN, a judgment against Defendant for compensatory damages.
- f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- g. Grant such other and further relief as this court deems just and proper.

COUNT II

COMPLAINT OF STACEY GRIFFIN FOR QUID PRO QUO SEX DISCRIMINATION DIRECTED AT SUTTON FORD, INC.

62. That GRIFFIN incorporates the preceding paragraphs by reference here.

63. That MUHAMMED implicitly and explicitly conditioned GRIFFIN'S enjoyment of the various terms, conditions, and benefits of employment on her submission to his sexual advances. Such terms and conditions of employment include the assignment of deals, sales leads, and such others.

64. That Defendant's conduct in subjecting Plaintiff to inferior terms and conditions of employment and in terminating her amounts to quid pro quo sexual harassment in violation of the law. That as a further result of said harassing conduct, GRIFFIN was adversely affected by the various tangible employment actions that she suffered at the hands of Defendants

and their agents.

PRAYER FOR RELIEF

WHEREFORE, GRIFFIN respectfully requests that this Court provide the following equitable and legal remedies for relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.

- b. Order a permanent injunction prohibiting Defendant from further acts of sexual discrimination and sexual harassment.

- c. Award Plaintiff, GRIFFIN, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.

- e. Award Plaintiff, GRIFFIN, a judgment against Defendant for compensatory damages.

- f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.

- g. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.

- h. Grant such other and further relief as this Court deems just and proper.

COUNT III

COMPLAINT OF STACEY GRIFFIN FOR RETALIATION DIRECTED AT SUTTON FORD, INC.

66. That GRIFFIN incorporates the preceding paragraphs by reference here.

67. That GRIFFIN was terminated on or around October 5, 2004.

68. That Defendant's termination of GRIFFIN amounts to illegal retaliation for resisting conduct which GRIFFIN in good faith believed to be sexual harassment.

69. That Defendant and its agents further subjected GRIFFIN to inferior terms and conditions of employment for resisting conduct GRIFFIN in good faith believed to be sexual harassment.

70. That the adverse actions followed GRIFFIN'S protected activity within such a period of time as to raise an inference of retaliatory motivation.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, GRIFFIN respectfully requests this Court provide the following equitable and legal remedies for relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.

- b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.

- c. Award Plaintiff, GRIFFIN, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- d. Award Plaintiff, GRIFFIN, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- e. Award Plaintiff, GRIFFIN, a judgment against Defendant for compensatory damages.
- f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- g. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.
- h. Grant such other and further relief as this Court deems just and proper.

COUNT IV

COMPLAINT OF STACEY GRIFFIN FOR ASSAULT AND BATTERY DIRECTED TO RICHARD MUHAMMED AND SUTTON FORD, INC.

- 71. That GRIFFIN incorporates the preceding paragraphs by reference here.
- 72. That MUHAMMED intended to engage in offensive and harmful physical contact with GRIFFIN'S body.
- 73. That MUHAMMED's conduct in touching and attempting to touch GRIFFIN was intentional.
- 74. That MUHAMMED's conduct in touching and attempting to touch GRIFFIN placed her in apprehension of imminent offensive physical contact by MUHAMMED.
- 75. That MUHAMMED's conduct amounts to willful and wanton conduct.
- 76. That as a result of MUHAMMED's conduct, GRIFFIN suffered and continues to suffer fright, physical illnesses, mental anguish, humiliation and embarrassment.
- 77. That Defendant, SUTTON FORD, is directly responsible for the assault and battery endured by GRIFFIN because it knew or in the exercise of reasonable care should have known about such conduct, but failed to take reasonable steps to prevent or correct it.
- 78. SUTTON FORD improperly condoned and failed to prevent the assault and battery of Plaintiff by its agents, managers, and employees and is thus liable for such.

PRAYER FOR RELIEF

WHEREFORE, GRIFFIN respectfully requests that the Court provide the following equitable and legal relief:

- a. Award GRIFFIN a judgment against MUHAMMED and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting GRIFFIN reasonable compensation for the fright, humiliation, embarrassment, physical illnesses and mental anguish suffered by GRIFFIN as a result of MUHAMMED's conduct.
- c. Grant GRIFFIN such other and further relief as this court deems just and proper.

COUNT V

**COMPLAINT OF STACEY GRIFFIN FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
DIRECTED TO RICHARD MUHAMMED AND SUTTON FORD, INC.**

79. That GRIFFIN incorporates the preceding paragraphs by reference here.

80. That Defendants' conduct toward GRIFFIN amounts to intentional infliction of emotional distress because said conduct was extreme and outrageous and Defendants intended to inflict severe emotional distress on GRIFFIN.

81. That as a result, GRIFFIN has suffered and continues to suffer severe emotional distress, fright, physical illnesses, mental anguish, humiliation, and embarrassment.

PRAYER FOR RELIEF

WHEREFORE, GRIFFIN respectfully requests that the Court provide the following equitable and legal relief:

- a. Award GRIFFIN a judgment against MUHAMMED and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting GRIFFIN reasonable compensation for the severe emotional distress, fright, humiliation, embarrassment, and physical illnesses suffered by GRIFFIN.
- c. Grant GRIFFIN such other and further relief as this court deems just and proper.

COUNT VI

**COMPLAINT OF CARRIE BABB FOR HOSTILE ENVIRONMENT SEXUAL HARASSMENT DIRECTED TO
SUTTON FORD, INC.**

82. BABB incorporates the following preceding paragraphs by reference here: ¶¶1-31.

83. That BABB was hired by Defendant in April of 2004, as a Car Salesperson.

84. That during her employment, BABB performed her assigned tasks in a satisfactory and conscientious manner according to Defendant's standards.

85. That at relevant times during her employment with Defendant, BABB was supervised by MUHAMMED.

86. That starting in April of 2004, and continuing until September 2004, BABB was subjected to sexual harassment, offensive language, and unwelcome physical contact by MUHAMMED on a daily basis.

87. That during this period, MUHAMMED slapped BABB's buttocks on numerous occasions.

88. That in addition, MUHAMMED made daily sexually explicit comments and invitations to BABB. Such comments included references to her pubic hair, requests for sexual favors and acts in exchange for assistance in closing deals, questions about various parts of her body, invitations to engage in assorted sexual acts, requests to view parts of her body, comments about the color of her underwear and the size of his penis.

89. On occasion, MUHAMMED would grab his penis while asking BABB if she wanted some.
90. That on a daily basis, rather than say “good morning” to BABB, MUHAMMED would say, “Suck me!”.
91. That BABB repeatedly asked MUHAMMED to stop making offensive comments and slapping her buttocks but MUHAMMED simply laughed each time.
92. That in about July and August of 2004, BABB complained to VATES about MUHAMMED’s sexually offensive comments and inappropriate touching to no avail.
93. That members of SUTTON FORD’s management such as VATES and ARSELLA, observed MUHAMMED’s offensive comments and unwelcome physical contact.
94. That starting in April of 2004, and continuing until September 2004, MINTER made sexually explicit comments to BABB. Such included comments asking BABB to “Put a little extra lip gloss on it. It will make it easier” referring to oral sex. MINTER subjected BABB to this and similar comments on a daily basis during this period.
95. That furthermore, RAMONE subjected BABB to sexually explicit and offensive remarks and invitations to perform sexual acts and favors on a daily basis.
96. That MARVIN, the manager of the porter team, witnessed several of RAMONE’s sexually offensive comments and took no action to prevent or correct same.
97. That as a result of BABB’s rejection of sexual advances and conduct, ARSELA and VATES sabotaged BABB’s work in an attempt to cause her to be disciplined and possibly terminated. Even though BABB complained about this conduct, no discipline was issued as a result.
98. That as a result of BABB’s rejection of sexual advances and conduct, MUHAMMED interfered with BABB’s enjoyment of the ordinary benefits of employment by denying her lucrative sales deals, leads, and by steering away to other employees customers that would otherwise have been BABB’s.
99. That Defendant’s treatment of BABB was motivated by evil motive and intent and was in reckless and callous indifference to BABB’s federally protected rights.
100. That as a direct and proximate result of said unlawful employment practices, BABB has suffered the indignity of discrimination, the invasion of her right to be free from discrimination, and great humiliation which has manifested in physical illnesses and emotional stress on the relationships between BABB and her friends and family.
101. That as a further direct and proximate result of said unlawful employment practices, BABB has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, harm to her employability and earning capacity, painful embarrassment among her friends and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, BABB respectfully requests that the Court provide the following equitable and legal relief.

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.
- b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.
- c. Award Plaintiff, BABB, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe

benefits lost to the present with applicable statutory interest.

d. Award Plaintiff, BABB, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.

e. Award Plaintiff, BABB, a judgment against Defendant for compensatory damages.

f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.

g. Grant such other and further relief as this court deems just and proper.

COUNT VII

COMPLAINT OF CARRIE BABB FOR QUID PRO QUO SEX DISCRIMINATION DIRECTED AT SUTTON FORD, INC.

102. That BABB incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 82-101.

103. That MUHAMMED implicitly and explicitly conditioned BABB's enjoyment of the various terms, conditions, and benefits of employment on her submission to his sexual advances. Such terms and conditions of employment include the assignment of deals, sales leads, and such others.

104. That Defendant's conduct in subjecting Plaintiff to inferior terms and conditions of employment amounts to quid pro quo sexual harassment in violation of the law.

105. That as a further result of said harassing conduct, BABB was adversely affected by the various tangible employment actions that she suffered at the hands of Defendants and their agents.

PRAYER FOR RELIEF

WHEREFORE, BABB respectfully requests that this Court provide the following equitable and legal remedies for relief:

a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.

b. Order a permanent injunction prohibiting Defendant from further acts of sexual discrimination and sexual harassment.

c. Award Plaintiff, BABB, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.

d. Award Plaintiff, BABB, a judgment against Defendant for compensatory damages.

e. Grant judgment against Defendant for punitive damages for willful and wanton conduct.

f. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.

h. Grant such other and further relief as this Court deems just and proper.

COUNT VIM

COMPLAINT OF CARRIE BABB FOR RETALIATION DIRECTED AT SUTTON FORD, INC.

106. That BABB incorporates the following preceding paragraphs by reference here: ¶¶ 31 and ¶¶ 82-10.

107. That Defendant and its agents subjected BABB to inferior terms and conditions of employment for resisting conduct BABB in good faith believed to be sexual harassment.

108. That the adverse actions followed BABB's protected activity within such a period of time as to raise an inference of retaliatory motivation.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, BABB respectfully requests this Court provide the following equitable and legal remedies for relief:

a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.

b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.

c. Award Plaintiff, BABB, back pay, reinstatement, appropriate future

earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.

d. Award Plaintiff, BABB, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.

e. Award Plaintiff, BABB, a judgment against Defendant for compensatory damages.

f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.

g. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.

h. Grant such other and further relief as this Court deems just and proper.

COUNT IX

COMPLAINT OF CARRIE BABB FOR ASSAULT AND BATTERY DIRECTED TO RICHARD MUHAMMED AND SUTTON FORD, INC.

109. That BABB incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 82-105.

110. That MUHAMMED intended to engage in offensive and harmful physical contact with BABB's body.

111. That MUHAMMED's conduct in touching and attempting to touch BABB was intentional.

112. That MUHAMMED's conduct in touching and attempting to touch BABB placed her in apprehension of imminent offensive physical contact by MUHAMMED.

113. That MUHAMMED's conduct amounts to willful and wanton conduct.

114. That as a result of MUHAMMED's conduct, BABB suffered and continues to suffer fright, physical illnesses, mental anguish, humiliation, and embarrassment.

115. That Defendant, SUTTON FORD, is directly responsible for the assault and battery endured by BABB because it knew or in the exercise of reasonable care should have known about such conduct, but failed to take reasonable steps to prevent or correct it.

116. SUTTON FORD improperly condoned and failed to prevent the assault and battery of Plaintiff by its agents, managers, and employees and is thus liable for such.

PRAYER FOR RELIEF

WHEREFORE, BABB respectfully requests that the Court provide the following equitable and legal relief:

- a. Award BABB a judgment against MUHAMMED and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting BABB reasonable compensation for the fright, humiliation, embarrassment, physical illnesses, and mental anguish suffered by BABB as a result of MUHAMMED's conduct.
- c. Grant BABB such other and further relief as this court deems just and proper.

COUNT X

COMPLAINT OF CARRIE BABB OF

RACE DISCRIMINATION AND RACIAL

HARASSMENT DIRECTED AT SUTTON FORD, INC.

117. hat BABB incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 82-105.

118. That BABB is Caucasian.

119. That MUHAMMED is African-American.

120. That throughout BABB's employment with SUTTON FORD, she was subjected to persistent and continuous racial discrimination and harassment.

121. That during the period from April 2004 through September 2004, MUHAMMED regularly made racially offensive comments in BABB's presence, such as: "I don't like white people!"; "white people ain't got no business selling cars!"; "white men have little dicks, you need a black one!"; once you go black, you never go back! Its true!"; and "you white people can't sell cars, I'm taking this customer."

122. That BABB was also subjected to unequal treatment in the various terms and conditions of employment due to her race by MUHAMMED in that MUHAMMED would often take customers away from BABB and give them to the **African-American** sales people.

123. That all of these and similar incidents have created a hostile and offensive work environment for BABB.

124. That Defendant's treatment of BABB was motivated by evil motive and intent and was recklessly and callously indifferent to BABB's federally protected rights.

125. That Defendant's treatment of Plaintiff, BABB, was motivated by racial animus and Defendant and its agents acted with racial animus directed toward Caucasians in violation of the law.

126. That as a direct and proximate result of said unlawful employment practices and disregard for BABB's rights and sensibilities, BABB has lost and will continue to lose substantial income, including, but not limited to, wages, fringes, seniority benefits, and other employment benefits.

127. That as a further direct and proximate result of said unlawful employment practices, BABB has suffered the indignity of discrimination, the invasion of her right to be free from discrimination, and great humiliation which is manifest in physical illnesses, and emotional stress on the relationships between BABB and her friends, family, and colleagues.

128. That as a further direct and proximate result of said unlawful employment practices, BABB has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, harm to her employability and earning capacity, shameful embarrassment among her friends, colleagues, and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, BABB, respectfully prays that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Award Plaintiff, BABB, appropriate back-pay, reinstatement, future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- c. Award Plaintiff, BABB, costs of litigation, including reasonable attorney's fees and expert fees and expenses.
- d. Award Plaintiff, BABB, a judgment against Defendant for compensatory damages.
- e. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- f. Enter an order requiring Defendant to implement effective steps to eliminate discrimination from Defendant's organization.
- g. Grant such other and further relief as this court deems just and proper.

COUNT XI

COMPLAINT OF CARRIE BABB OF

CONSTRUCTIVE DISCHARGE DIRECTED AT SUTTON FORD, INC.

129. That BABB incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 82-128.

130. That Defendant had notice, condoned Plaintiff's intolerable conditions, and did nothing.

131. That Plaintiff had no other choice but to resign because SUTTON FORD and its agent constructed intolerable conditions for her.

132. That BABB was constructively discharged in or around September 2004.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, BABB, respectfully prays that the Court provide the following equitable and legal relief:

a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.

b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.

c. Award Plaintiff, BABB, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.

d. Award Plaintiff, BABB, costs of litigation, including reasonable attorneys' fees and expert fees and expenses

e. Award Plaintiff, BABB, a judgment against Defendant for compensatory damages.

f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.

g. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.

h. Grant such other and further relief as this Court deems just and proper.

COUNT XII

COMPLAINT OF CARRIE BABB

FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

DIRECTED TO RICHARD MUHAMMED

AND SUTTON FORD, INC.

133. That BABB incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 82-128.

134. That Defendants' conduct toward BABB amounts to intentional infliction of emotional distress because said conduct was extreme and outrageous and Defendants intended to inflict severe emotional distress on BABB.

135. That as a result, BABB has suffered and continues to suffer severe emotional distress, fright, physical illnesses, mental anguish, humiliation, and embarrassment.

PRAYER FOR RELIEF

WHEREFORE, BABB respectfully requests that the Court provide the following equitable and legal relief:

- a. Award BABB a judgment against MUHAMMED and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting BABB reasonable compensation for the severe emotional distress, fright, humiliation, embarrassment, and physical illnesses suffered by BABB.
- c. Grant BABB such other and further relief as this court deems just and proper.

COUNT XIII

COMPLAINT OF JADA JOHNSON FOR

HOSTILE ENVIRONMENT SEXUAL HARASSMENT

DIRECTED TO SUTTON FORD, INC.

136. That JOHNSON incorporates the following preceding paragraphs by reference here: ¶¶ 1-31.

137. That JOHNSON was hired by Defendant in April of 2004, as a Car Salesperson.

138. That during her employment, JOHNSON performed her assigned tasks in a satisfactory and conscientious manner according to Defendant's standards.

139. That at relevant times during her employment with Defendant, JOHNSON was supervised by MUHAMMED.

140. That starting in April of 2004 and continuing until July 2004, JOHNSON was subjected to persistent sexual harassment by MUHAMMED.

141. That such harassing conduct included offensive and inappropriate touching and sexually offensive comments on a daily basis, requests to view and/or smell her body parts, that she bend over in order for her deal to be approved, and comments on the color of her underwear and sexual preferences.

142. That MUHAMMED also stated to JOHNSON, "I know I am a nymphomaniac and I know I need help. I just love pussy. I ain't lying. I make you sick, don't I?" During the summer of 2004, MUHAMMED placed his hand under JOHNSON'S buttocks as she was sitting down on a chair.

143. On numerous occasions, when JOHNSON bent over, MUHAMMED stood behind her, simulated intercourse while rubbing his penis against her buttocks in a back and forth motion.

144. That JOHNSON often asked MUHAMMED to stop making offensive comments, and to stop touching her. However, every time she complained, MUHAMMED just laughed and the harassment continued.

145. That in or around May, June or July of 2004, JOHNSON complained to management employees, WHITE, WILLIAMS, RANDOLPH, VATES and SUTTON about MUHAMMED'S sexually offensive comments and inappropriate touching. However, the harassment never ceased.

146. That after complaining about MUHAMMED'S sexual harassment, he subjected JOHNSON to inferior treatment by making her wait longer periods of time for her financial deals to go through, thus causing her to lose valuable income.

147. That other members of management heard MUHAMMED's sexually offensive comments toward JOHNSON and observed MUHAMMED's inappropriate touching of her but took no action to prevent or correct same. Instead, certain of them such as VATES often laughed and/or giggled in response to such behavior.

148. That starting in April of 2004 and continuing until July of 2004, JOHNSON was subjected to persistent sexual harassment by MINTER.

149. That on one occasion during June or July of 2004, MINTER touched the side of JOHNSON'S breast and said, "Put that thing back." JOHNSON told MINTER never to touch her again. He routinely made comments of a sexual nature, requested that JOHNSON permit customers to touch her, and simulated intercourse against a chair in JOHNSON'S presence.

150. That members of SUTTON FORD's management and customers heard MINTER's daily sexual comments.

151. That JOHNSON also suffered similar degradation and intimidation at the hands of RAMONE (LNU) on a daily basis during the period from April of 2004 until July of 2004 in the presence of members of SUTTON FORD's management.

152. That Defendant's treatment of JOHNSON was motivated by evil motive and intent, and was in reckless and callous indifference to JOHNSON'S federally protected rights.

153. That as a direct and proximate result of said unlawful employment practices, JOHNSON has suffered the indignity of discrimination, the invasion of her right to be free from discrimination and great humiliation which has manifested in physical illnesses, and emotional stress on the relationships between JOHNSON and her friends and family.

154. That as a further direct and proximate result of said unlawful employment practices, JOHNSON has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, harm to her employability and earning capacity, painful embarrassment among her friends and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, JOHNSON respectfully requests that the Court provide the following equitable and legal relief.

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.
- b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.
- c. Award Plaintiff, JOHNSON, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- d. Award Plaintiff, JOHNSON, costs of litigation, including reasonable attorneys' fees and expert fees, and expenses.
- e. Award Plaintiff, JOHNSON, a judgment against Defendant for compensatory damages.
- f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- g. Grant such other and further relief as this court deems just and proper.

COUNT XIV

COMPLAINT OF JADA JOHNSON FOR QUID PRO QUO SEX DISCRIMINATION DIRECTED AT SUTTON FORD, INC.

155. That JOHNSON incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 136-154.

156. That MUMED implicitly and explicitly conditioned JOHNSON'S enjoyment of the various terms, conditions, and benefits of employment on her submission to his sexual advances. Such terms and conditions of employment include the assignment of deals, sales leads, and such others.

157. That Defendant's conduct in subjecting Plaintiff to inferior terms and conditions of employment and in terminating her amounts to quid pro quo sexual harassment in violation of the law.

158. That as a further result of said harassing conduct, JOHNSON was adversely affected by the various tangible employment actions that she suffered in the hands of Defendants and their agents.

PRAYER FOR RELIEF

WHEREFORE, JOHNSON respectfully requests that this Court provide the following equitable and legal remedies for relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.
- b. Order a permanent injunction prohibiting Defendant from further acts of sexual discrimination and sexual harassment.
- c. Award Plaintiff, JOHNSON, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- d. Award Plaintiff, JOHNSON, a judgment against Defendant for compensatory damages.
- e. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- f. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.
- g. Grant such other and further relief as this Court deems just and proper.

COUNT XV

COMPLAINT OF JADA JOHNSON FOR RETALIATION DIRECTED AT SUTTON FORD, INC.

159. That JOHNSON incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 136-158.

160. That JOHNSON was terminated on or around July 25, 2004.

161. That Defendant's termination of JOHNSON amounts to illegal retaliation for resisting conduct which JOHNSON in good faith believed to be sexual harassment.

162. That the adverse action followed JOHNSON'S protected activity within such a period of time as to raise an inference of retaliatory motivation.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, JOHNSON respectfully requests this Court provide the following equitable and legal remedies for relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.
- c. Award Plaintiff, JOHNSON, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- d. Award Plaintiff, JOHNSON, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- e. Award Plaintiff, JOHNSON, a judgment against Defendant for compensatory damages.
- f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- g. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.
- h. Grant such other and further relief as this Court deems just and proper.

COUNT XVI

COMPLAINT OF JADA JOHNSON FOR ASSAULT AND BATTERY DIRECTED TO LOUIS MINTER, RICHARD MUHAMMED, AND SUTTON FORD, INC.

163. That JOHNSON incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 136-158.

164. That M INTER and MU HAM MED intended to engage in offensive and harmful physical contact with JOHNSON'S body.

165. That Defendants' conduct in touching and attempting to touch JOHNSON was intentional.

166. That Defendants' conduct in touching and attempting to touch JOHNSON placed her in apprehension of imminent offensive physical contact.

167. That as a result, JOHNSON suffered and continues to suffer fright, physical illnesses, mental anguish, humiliation, and embarrassment.

168. That Defendant, SUTTON FORD, is directly responsible for the assault and battery endured by JOHNSON because it knew or in the exercise of reasonable care should have known about such conduct, but failed to take reasonable steps to prevent or correct it.

169. SUTTON FORD improperly condoned and failed to prevent the assault and battery of Plaintiff by its agents, managers, and employees and is thus liable for such.

PRAYER FOR RELIEF

WHEREFORE, JOHNSON respectfully requests that the Court provide the following equitable and legal relief:

- a. Award JOHNSON a judgment against MINTER, MOHAMMED and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting JOHNSON reasonable compensation for the fright, humiliation, embarrassment, physical illnesses and mental anguish suffered by JOHNSON as a result of Defendants' conduct.
- c. Grant JOHNSON such other and further relief as this court deems just and proper.

COUNT XVII

COMPLAINT OF JADA JOHNSON FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS DIRECTED TO RICHARD MUHAMMED, LOUIS MINTER, AND SUTTON FORD, INC.

170. That JOHNSON incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶136-158.

171. That Defendants' conduct toward JOHNSON amounts to intentional infliction of emotional distress because said conduct was extreme and outrageous and Defendants intended to inflict severe emotional distress on JOHNSON.

172. That as a result, JOHNSON has suffered and continues to suffer severe emotional distress, fright, physical illnesses, mental anguish, humiliation, and embarrassment.

PRAYER FOR RELIEF

WHEREFORE, JOHNSON respectfully requests that the Court provide the following equitable and legal relief:

- a. Award JOHNSON a judgment against MUHAMMED, MINTER and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting JOHNSON reasonable compensation for the severe emotional distress, fright, humiliation, embarrassment, and physical illnesses suffered by JOHNSON.
- c. Grant JOHNSON such other and further relief as this court deems just and proper.

COUNT XVIII

COMPLAINT OF NIKITA LOCKETT FOR HOSTILE ENVIRONMENT SEXUAL HARASSMENT DIRECTED TO SUTTON FORD, INC.

173. That LOCKETT incorporates the following preceding paragraphs by reference here: ¶¶ 1-31.

174. That LOCKETT was hired by Defendant in January of 2005, as a Car Salesperson.

175. That during her employment, LOCKETT performed her assigned tasks in a satisfactory and conscientious manner according to Defendant's standards.

176. That starting in May of 2005 and continuing until July 2005, LOCKETT was subjected to persistent sexual harassment

by RADIGURO. Such harassing conduct included offensive, and inappropriate touching and sexually offensive comments directed toward LOCKETT on a daily basis such as references to her body parts, underwear, and comments about her sexual preferences and male body parts.

177. That some of the comments were made in the presence of other male employees and managers alike who would laugh thus causing significant embarrassment and humiliation to LOCKETT. When LOCKETT complained about said conduct, no action was taken to correct same.

178. That on numerous occasions, RADIGURO intentionally touched LOCKETT's buttocks. For example, in approximately June of 2005, RADIGURO told LOCKETT, "You have some dust on your butt." RADIGURO then proceeded to slap her in the buttocks, pretending to get the dust off of her buttocks. LOCKETT told RADIGURO, "Don't touch me! Tell me next time and I will get it off myself."

179. That on numerous occasions, RADIGURO intentionally brushed his hand against LOCKETT's buttocks. Each time he did this, LOCKETT told him to get away.

180. That LOCKETT complained to SUTTON FORD's management employees to no avail. Instead of addressing her complaints, WHITE told LOCKETT she was causing a little too much attention for the male employees from male employees due to her clothing.

181. That starting in January of 2005 and continuing until July 2005, LOCKETT was subjected to persistent sexual harassment, offensive and humiliating conduct by MINTER who made daily comments about her breasts, buttocks, and other body parts, requested sexual favors from her, and touched her in an offensive manner.

182. That in approximately April of 2005, MINTER wrapped his arms around LOCKETT's chest. MINTER then squeezed her chest with his arms. This conduct was unwelcome. LOCKETT broke free from his hug, and told him to get away from her.

183. That Defendant failed to take effective and appropriate remedial action in 2005 after LOCKETT complained about sexual harassment to management employees.

184. That Defendant's treatment of LOCKETT was motivated by evil motive and intent, and was in reckless and callous indifference to LOCKETT's federally protected rights.

185. That as a direct and proximate result of said unlawful employment practices, LOCKETT has suffered the indignity of discrimination, the invasion of her right to be free from discrimination and great humiliation which has manifested in physical illnesses, and emotional stress on the relationships between LOCKETT and her friends and family.

186. That as a further direct and proximate result of said unlawful employment practices, LOCKETT has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, harm to her employability and earning capacity, painful embarrassment among her friends and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, LOCKETT respectfully requests that the Court provide the following equitable and legal relief.

a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.

b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.

c. Award Plaintiff, LOCKETT, back pay, reinstatement, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.

- d. Award Plaintiff, LOCKETT, costs of litigation, including reasonable attorneys' fees and expert fees, and expenses.
- e. Award Plaintiff, LOCKETT, a judgment against Defendant for compensatory damages.
- f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- g. Grant such other and further relief as this court deems just and proper.

COUNT XIX

COMPLAINT OF NIKITA LOCKETT FOR REPLEVIN AND CONVERSION DIRECTED TO SUTTON FORD, INC.

187. That LOCKETT incorporates the following preceding paragraphs by reference here: ¶¶ 1-31.

188. That prior to July 5, 2005, LOCKETT had the following personal items at or in her desk at SUTTON FORD:

- a. Her Texas Instrument calculator;
- b. Her photo album with her son's pictures;
- c. Her automobile book that she purchased. This book contained all of her commission slips and customers' names and addresses;
- d. Her high school diploma;
- e. Her training certificates; and
- f. Her tennis shoes.

189. That on July 5, 2005, LOCKETT owned the personal property items listed above.

190. That on or around July 5, 2005, SUTTON FORD, wrongfully detained LOCKETT's personal property from her desk. LOCKETT never gave SUTTON FORD permission to detain her personal property.

191. That LOCKETT's personal property has not been taken for any tax, assessment, or fine or seized under any lawful process or held by virtue of any order for replevin.

192. That LOCKETT made numerous requests to SUTTON FORD asking that it return her personal property.

193. That to the present, SUTTON FORD has still not returned said personal property listed above to LOCKETT.

PRAYER FOR RELIEF

WHEREFORE, LOCKETT respectfully requests that the Court provide the following equitable and legal relief.

- a. An order awarding possession of LOCKETT's personal property described above, or in the alternative, for judgment for the value of her personal property.
- b. All damages she has sustained by reason of the wrongful taking and detention.
- c. All damages available under 735 ILCS 5/19.

d. Grant such other and further relief as this court deems just and proper.

COUNT XX

COMPLAINT OF NIKITA LOCKETT FOR RETALIATION DIRECTED AT SUTTON FORD, INC.

194. That LOCKETT incorporates the following preceding paragraphs by reference e:¶¶ 1-31 and ¶¶ 173-193.

195. That LOCKETT was terminated on or around July 5, 2005.

196. That on or around the day LOCKETT was terminated, Defendant confiscated and or converted her personal belongings from her desk. LOCKETT made repeated requests that Defendant return her confiscated belongings. Despite such requests, Defendant has never returned her belongings.

197. That Defendant's confiscation and/or conversion of LOCKETT's personal belongings amounts to illegal retaliation for resisting conduct which LOCKETT in good faith believed to be sexual harassment.

198. That similarly situated employees who did not complain about sexual harassment were not subjected to such treatment.

199. That Defendant and its agents further subjected LOCKETT to inferior terms and conditions of employment for resisting conduct LOCKETT in good faith believed to be sexual harassment.

200. That the adverse action followed LOCKETT'S protected activity within such a period of time as to raise an inference of retaliatory motivation.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, LOCKETT respectfully requests this Court provide the following equitable and legal remedies for relief:

a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.

b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.

c. Award Plaintiff, LOCKETT, back pay, appropriate future earnings, and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.

d. Award Plaintiff, LOCKETT, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.

e. Award Plaintiff, LOCKETT, a judgment against Defendant for compensatory damages.

f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.

g. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.

h. Grant such other and further relief as this Court deems just and proper.

COUNT XXI

COMPLAINT OF NIKITA LOCKETT FOR ASSAULT AND BATTERY DIRECTED TO LOUIS MINTER AND SUTTON FORD, INC.

201. That LOCKETT incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 173-186.
202. That MINTER intended to engage in offensive and harmful physical contact with LOCKETT's body.
203. That MINTER's conduct in touching and attempting to touch LOCKETT was intentional.
204. That MINTER's conduct in touching and attempting to touch LOCKETT placed her in apprehension of imminent offensive physical contact.
205. That as a result, LOCKETT suffered and continues to suffer fright, physical illnesses, mental anguish, humiliation, and embarrassment.
206. That Defendant, SUTTON FORD, is directly responsible for the assault and battery endured by LOCKETT because it knew or in the exercise of reasonable care should have known about such conduct, but failed to take reasonable steps to prevent or correct it.
207. SUTTON FORD improperly condoned and failed to prevent the assault and battery of Plaintiff by its agents, managers and employees and is thus liable for such.

PRAYER FOR RELIEF

WHEREFORE, LOCKETT respectfully requests that the Court provide the following equitable and legal relief:

- a. Award LOCKETT a judgment against MINTER and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting LOCKETT reasonable compensation for the fright, humiliation, embarrassment, physical illnesses and mental anguish suffered by LOCKETT as a result of Defendants' conduct.
- c. Grant LOCKETT such other and further relief as this court deems just and proper.

COUNT XXII

COMPLAINT OF NIKITA LOCKETT FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS DIRECTED TO LOUIS MINTER AND SUTTON FORD, INC.

208. That LOCKETT incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 173-207.
209. That Defendants' conduct toward LOCKETT amounts to intentional infliction of emotional distress because said conduct was extreme and outrageous and Defendants intended to inflict severe emotional distress on LOCKETT.
210. That as a result, LOCKETT has suffered and continues to suffer severe emotional distress, fright, physical illnesses, mental anguish, humiliation, and embarrassment.

PRAYER FOR RELIEF

WHEREFORE, LOCKETT respectfully requests that the Court provide the following equitable and legal relief:

- a. Award LOCKETT a judgment against MUHAMMED and SUTTON FORD for compensatory and punitive damages.
- b. Enter an order granting LOCKETT reasonable compensation for the severe emotional distress, fright, humiliation, embarrassment, and physical illnesses suffered by LOCKETT.
- c. Grant LOCKETT such other and further relief as this court deems just and proper.

COUNT XXIII

**COMPLAINT OF MONICA MONIUSZKO FOR HOSTILE ENVIRONMENT SEXUAL HARASSMENT
DIRECTED TO SUTTON FORD, INC.**

211. That MONIUSZKO incorporates the following preceding paragraphs by reference here: ¶¶ 1-31.

212. That MONIUSZKO was hired by Defendant in the fall of 2002 as a Finance Assistant.

213. That on March 11, 2003, MONIUSZKO was subjected to sexual harassment by STEIHLER who directed sexually offensive comments to her about her boyfriend and sexual intercourse.

214. That MONIUSZKO reported the incidents to SUE SCHAFROTH (“SCHAFROTH”) who then reported them to WILLIAMS. WILLIAMS made both STEIHLER and MONIUSZKO sign a copy of the complaint. MONIUSZKO is not aware if STEIHLER was disciplined.

215. That in 2003, MONIUSZKO was subjected to daily acts of sexual harassment by RANDOLPH who touched her inappropriately, rubbed her shoulders and hair, touched her leg, put his arms around her, ran his foot up her leg, and stared at her for prolonged periods.

216. That in addition, THATCHER subjected MONIUSZKO to acts of sexual harassment in approximately February and March of 2003 by asking her out, offering to do “some things” to her and such other offensive comments.

217. That in February and March of 2003, MINTER also made inappropriate comments of a sexual nature to MONIUSZKO, and touched her repeatedly without invitation or her consent.

218. That Defendant’s treatment of MONIUSZKO was motivated by evil intent and was in reckless and callous indifference to her federally protected rights.

219. That as a direct and proximate result of said unlawful employment practices, MONIUSZKO has suffered the indignity of discrimination, the invasion of her right to be free from discrimination and great humiliation which is manifest in physical illnesses and emotional stress on the relationships between MONIUSZKO and her friends and family.

220. That as a further direct and proximate result of said unlawful employment practices, MONIUSZKO has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, harm to her employability and earning capacity, painful embarrassment among her friends and co-workers, damage to her reputations, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, MONIUSZKO respectfully requests that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.
- c. Award Plaintiff, MONIUSZKO, back pay, reinstatement, appropriate future earnings and reimbursement for income, and fringe benefits lost to the present with applicable statutory interest.
- d. Award Plaintiff, MONIUSZKO, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- e. Award Plaintiff, MONIUSZKO, a judgment against Defendant for compensatory damages.
- f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.
- h. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company. i. Grant such other and further relief as this court deems just and proper.

COUNT XXIV

COMPLAINT OF MONICA MONIUSZKO FOR RETALIATION DIRECTED AT SUTTON FORD, INC.

221. That MONIUSZKO incorporates the following preceding paragraphs by reference here: ¶¶ 1-31 and ¶¶ 211-220.
222. That MONIUSZKO was terminated in or around May of 2003.
223. That Defendant's termination of MONIUSZKO amounts to illegal retaliation for resisting conduct which MONIUSZKO in good faith believed to be sexual harassment.
224. That Defendant and its agents further subjected MONIUSZKO to inferior terms and conditions of employment for resisting conduct MONIUSZKO in good faith believed to be sexual harassment.
225. That the adverse action followed MONIUSZKO's protected activity within such a period of time as to raise an inference of retaliatory motivation.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, MONIUSZKO respectfully requests this Court provide the following equitable and legal remedies for relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Order a permanent injunction prohibiting Defendant from further acts of sex discrimination and sexual harassment.
- c. Award Plaintiff, MONIUSZKO, back pay, reinstatement, appropriate future earnings and reimbursement for income, and fringe benefits lost to the present with applicable statutory interest.
- d. Award Plaintiff, MONIUSZKO, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- e. Award Plaintiff, MONIUSZKO, a judgment against Defendant for compensatory damages.

f. Grant judgment against Defendant for punitive damages for willful and wanton conduct.

g. Enter an order requiring Defendant to implement effective steps to eliminate sex discrimination and sexual harassment from Defendant's company.

h. Grant such other and further relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED,

JURY DEMAND

NOW COME Plaintiffs by their undersigned attorney, and demand a trial by jury in the above entitled cause of action.

Uche Q. Asonye

One of their Attorneys

Uche O. Asonye - 06209522

Mark Pando - 6283683

Craig T. Papka - 6287051

ASONYE & ASSOCIATES

11 South LaSalle Street, Suite 2140

Chicago, Illinois 60603

(312)795-9110

(312) 795-9114 (Fax)

RESPECTFULLY SUBMITTED,

STACEY GRIFFIN,

CARRIE BABB,

JADA JOHNSON,

NIKITA LOCKETT, and

MONICA MONIUSZKO

By Uche O. Asonye

One of their Attorneys

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