

FILED

APR 13 2006

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
CEISEL MASONRY, INC.)
)
)
Defendant.)

06CV2075
JUDGE LEINENWEBER
MAGISTRATE MASON

JURY TRIAL DEMAND

NATURE OF THE ACTION

This is an action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.* ("Title VII"), and Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981a, to correct unlawful employment practices on the basis of national origin and to provide appropriate relief to Domingo Ramirez, Cuahetemoc Guerrero, Francisco Algarin, and a class of Hispanic employees who were adversely affected by such practices.

JURISDICTION AND VENUE

1. This action is brought by the United States Equal Employment Opportunity Commission to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.*

2. This action is authorized and instituted pursuant to § 706(f)(1) and § 706(f)(3) of Title VII, as amended, 42 U.S.C. §2000e-5(f)(1) and §2000e-5(f)(3), and § 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981A.

3. This court has jurisdiction of this action pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343, and 1345.

4. The unlawful acts alleged below were and are now being committed within the jurisdiction of the United States District Court for the Northern District of Illinois, Eastern Division.

PARTIES

5. Plaintiff, Equal Employment Opportunity Commission ("EEOC" or the "Commission"), is an agency of the United States of America charged with the administration, interpretation, and enforcement of Title VII, and is expressly authorized to bring this action by § 706(f)(1) and (3) of Title VII, 42 U.S.C. §2000e-5(f)(1) and (3).

6. At all relevant times, Defendant Ceisel Masonry Inc., has continuously been a corporation doing business in the State of Illinois and the Village of Northbrook, Illinois.

7. At all relevant times, Ceisel Masonry, Inc. has continuously had at least fifteen (15) employees.

8. At all relevant times, Ceisel Masonry, Inc., has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000c(b), (g) and (h).

STATEMENT OF CLAIMS

9. More than thirty (30) days prior to the institution of this lawsuit, Domingo Ramirez, Cuahetemoc Guerrero, and Francisco Algarin filed charges of discrimination with the Commission alleging violations of Title VII by Ceisel Masonry, Inc.

10. All conditions precedent to the institution of this lawsuit have been fulfilled.

11. Since at least 2000, Defendant has engaged in unlawful employment practices in violation of §703(a) of Title VII, 42 U.S.C. § 2000e-2(a). Such unlawful employment practices include subjecting Domingo Ramirez, Cuahetemoc Guerrero, Francisco Algarin, and a class of Hispanic employees to harassment and different terms and conditions because of their national origin.

12. The result of the practices complained of in paragraph 11 has been to deprive Domingo Ramirez, Cuahetemoc Guerrero, Francisco Algarin, and a class of Hispanic employees of equal employment opportunities and otherwise adversely affect their status as employees because of their national origin.

13. The unlawful employment practices complained of above were intentional.

14. The unlawful practices complained of above were done with malice or with reckless

indifference to the federally protected rights of Domingo Ramirez, Cuahetemoc Guerrero, Francisco Algarin, and a class of Hispanic employees.

PRAYER FOR RELIEF

WHEREFORE, the Commission requests that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in any employment practices which discriminate on the basis of national origin;

B. Order Defendant to institute and carry out policies, practices and programs which provide equal employment opportunities for its employees regardless of national origin, and which eradicate the effects of its unlawful employment practices;

C. Order Defendant to make whole Domingo Ramirez, Cuahetemoc Guerrero, Francisco Algarin, and a class of Hispanic employees by providing compensation for past and future pecuniary losses resulting from those unlawful employment practices, including medical expenses, in amounts to be determined at trial;

D. Order Defendant to make whole Domingo Ramirez, Cuahetemoc Guerrero, Francisco Algarin, and a class of Hispanic employees by providing compensation for past and future non-pecuniary losses resulting from those unlawful employment practices, including emotional pain, suffering, loss of enjoyment of life, humiliation, and inconvenience, in amounts to be determined at trial;

E. Order Defendant to pay Domingo Ramirez, Cuahetemoc Guerrero, Francisco Algarin, and a class of Hispanic employees punitive damages for its malicious and reckless conduct in amounts to be determined at trial.

F. Prohibit Defendant from discriminating against any individual for engaging in protected activity under Title VII of the Civil Rights Act of 1964, or for opposing practices made unlawful by Title VII, or for participating in this lawsuit;

G. Grant such further relief as this Court deems necessary and proper in the public interest; and

H. Award the Commission its costs in this action.

JURY TRIAL DEMAND

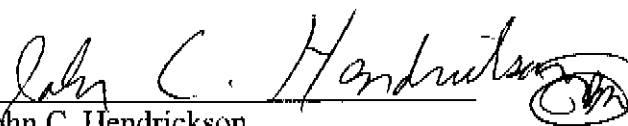
The Commission requests a jury trial on all questions of fact raised by the Complaint.

Respectfully submitted,

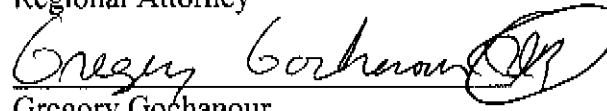
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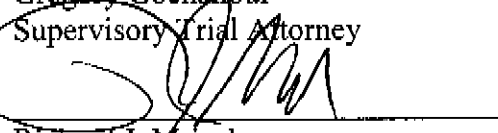
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