

ED-7.
 FILED FOR DOCKETING
 APR 29 11:25 AM '04
 THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF ILLINOIS
 CLERK EASTERN DIVISION
 U.S. DISTRICT COURT

U.S. EQUAL EMPLOYMENT)
 OPPORTUNITY COMMISSION,)

Plaintiff,)

v.)

CONTINENTAL AIRLINES, INC.,)

Defendant.)

Case No. 04C 3055
 JUDGE ASPEN

JURY TRIAL DEMANDED

DOCKETED
 APR 29 2004

MAGISTRATE JUDGE KEYS

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 race and sex and to provide appropriate relief to Alaini Mustafaa ("Mustafaa" or "Charging Party"), who was adversely affected by such practices. The U.S. Equal Employment Opportunity Commission ("EEOC" or "Commission") alleges that Defendant Continental Airlines, Inc. ("Defendant") discriminated against Charging Party on the basis of her race, Black and sex, female, in that she was harassed, not supported by her supervisors, disciplined and demoted, in violation of Title VII.

JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3), and pursuant to Section 102 of the Civil Rights Act of

1-1

1991, 42 U.S.C. § 1981a.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court in the Northern District of Illinois, Eastern Division.

PARTIES

3. Plaintiff U.S. Equal Employment Opportunity Commission (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 Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times Defendant Continental Airlines, Inc. ("Defendant") has been and is now an Illinois corporation doing business in the State of Illinois and has continuously had and does now have at least fifteen (15) employees.

5. At all relevant times, Defendant 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. §§ 2000e-5 (b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty (30) days prior to the institution of this lawsuit, Mustafaa filed a charge with the Commission alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least November 2000, Defendant has engaged in unlawful employment practices at its O'Hare Airport facility in violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a). These practices include, but are not limited to demoting Mustafaa from a Lead Customer Service Agent position back to her previous position of (ordinary) Customer Service

Agent because of her race and sex; and subjecting her to an unlawfully hostile and abusive working environment on the basis of her race and sex.

8. The effect of the practices complained of in paragraph 7 has been to deprive Mustafaa of equal employment opportunities and otherwise adversely affect her status as an employee because of her race, Black and sex, female.

9. The unlawful employment practices complained of in paragraph 7 above were intentional.

11. The unlawful employment practices complained of in paragraphs 7 and 8 above were done with malice or with reckless indifference to the federally protected rights of Mustafaa.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully prays that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, management personnel, employees, agents, successors, assigns and all persons in active concert or participation with it, from engaging in any employment practice which discriminates on the basis race or sex.

B. Order Defendant to institute and carry out policies, practices and programs which provide equal employment opportunities for its employees regardless of race and sex and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant to make whole Mustafaa by providing appropriate back pay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order Defendant to make whole Mustafaa by providing compensation for pecuniary losses resulting from the unlawful employment practices described in paragraph 7, above, in

amounts to be proved at trial.

E. Order Defendant to make whole Mustafaa by providing compensation for non-pecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including pain, suffering, emotional distress, inconvenience and mental anguish, in amounts to be proved at trial.

F. Order Defendant to pay Mustafaa punitive damages for its malicious and reckless conduct, as described in paragraph 7, in amounts to be proved at trial.

G. Grant such further relief as the Court deems necessary and proper.

H. Grant the Commission its costs in this action.

JURY TRIAL DEMANDED

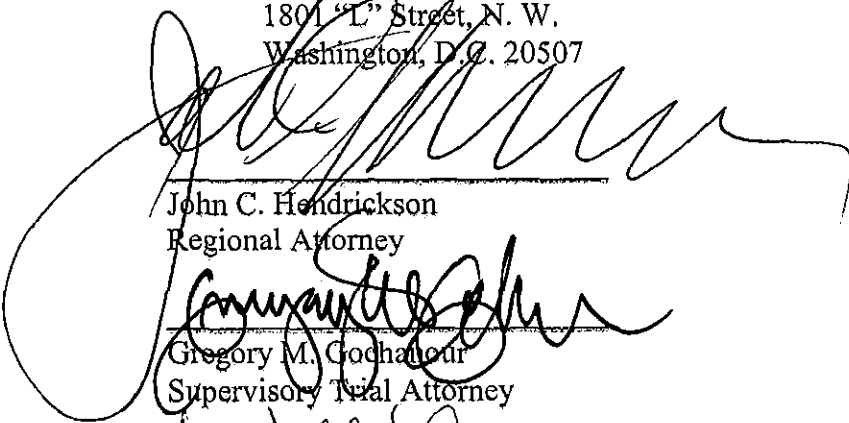
The Commission requests a jury trial on all questions of fact raised by the Complaint.

Respectfully submitted,

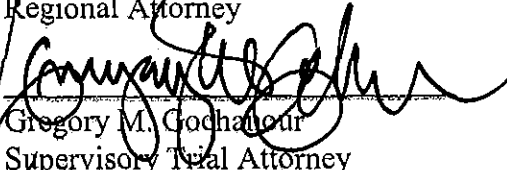
ERIC DREIBAND
General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

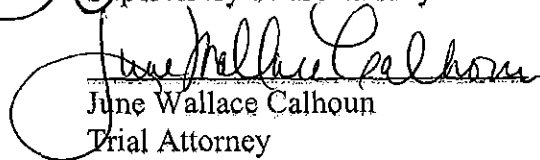
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
1801 "L" Street, N. W.
Washington, D.C. 20507



John C. Hendrickson
Regional Attorney



Gregory M. Gochanour
Supervisory Trial Attorney



June Wallace Calhoun
Trial Attorney

U. S. Equal Employment
Opportunity Commission
Chicago District Office
500 West Madison Street
Suite 2800
Chicago, Illinois 60661
(312) 353-7259

ED-7
FILED FOR DOCKETING
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

#2

04 APR 29 AM 11:11

CLERK
U.S. DISTRICT COURT

Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Defendant(s): CONTINENTAL AIRLINES, INC.,

County of Residence:

County of Residence:

Plaintiff's Atty: June Wallace Calhoun
Equal Employment Opportunity Commission
500 W. Madison, Suite 2800
Chicago, IL 60661
312-353-7259

Defendant's Atty: Margaret Coullard Phillips
Continental Airlines, Inc.
41st Floor HQSLG, 1600
Smith Street, Houston, TX
77002
(713)324-5000

II. Basis of Jurisdiction: 1. U.S. Gov't Plaintiff

III. Citizenship of Principal Parties (Diversity Cases Only)

Plaintiff:- N/A
Defendant:- N/A

04C 3055
JUDGE ASPEN

IV. Origin : 1. Original Proceeding

MAGISTRATE JUDGE KEYS

V. Nature of Suit: 442 Employment

VI. Cause of Action: Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct the unlawful employment practices on the basis of race and sex. VII. Requested in Complaint

VII. Requested in Complaint

Class Action:
Dollar Demand:
Jury Demand: Yes

DOCKETED
APR 29 2004

VIII. This case IS NOT a refiling of a previously dismissed case.

Signature: June Wallace Calhoun
Date: 4/29/03

1-2

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

In the Matter of

U.S. Equal Employment Opportunity Commission,
Plaintiff,

v.

Continental Airlines, Inc.,
Defendant.

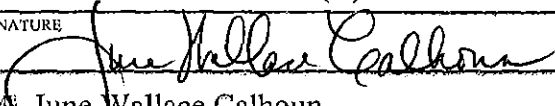
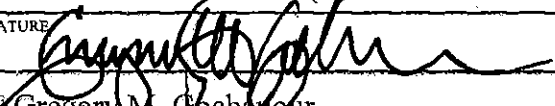

FILED FOR DOCKETING ED-7
04 APR 29 AM 11:26
CLERK
U.S. DISTRICT COURT

Case **04C 3055**

JUDGE ASPEN

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

Plaintiff, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION MAGISTRATE JUDGE KEYS

(A)	(B)
SIGNATURE 	SIGNATURE 
NAME June Wallace Calhoun	NAME Gregory M. Cocheur
FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission
STREET ADDRESS 500 W. Madison St., Suite 2800	STREET ADDRESS ADDRESS 500 W. Madison St., Suite 2800
CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP Chicago, IL 60661
TELEPHONE NUMBER 312-353-7259	TELEPHONE NUMBER 312-886-9124
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) USDC No. 06202058	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06210804
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>
(C)	(D)
SIGNATURE 	SIGNATURE
NAME John G. Hendrickson	NAME
FIRM Equal Employment Opportunity Commission	FIRM
STREET ADDRESS 500 W. Madison St., Suite 2800	STREET ADDRESS
CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP
TELEPHONE NUMBER 312-353-8551	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 01187589	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>