

The U.S. Equal Employment Opportunity Commission

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CONTACT: John Hendrickson
EEOC Regional Attorney
(312) 353-8551
TTY: (312) 353-2421

Richard Mrizek
EEOC Trial Attorney
(312) 886-9078

Deborah Hamilton
EEOC Trial Attorney
(312) 353-7649

MULTI-MILLION DOLLAR JURY VERDICT FOR EEOC IN SEXUAL HARASSMENT CASE AGAINST CUSTOM COMPANIES

\$2,355,000 Awarded to Three Saleswomen for Sexual Harassment and Retaliation By Northlake, Ill. Trucking Company

CHICAGO - A federal court jury this afternoon returned a \$2.355 million verdict in favor of the U.S. Equal Employment Opportunity Commission (EEOC) and three saleswomen who experienced sexual harassment and retaliation while employed by The Custom Companies, a Northlake, Ill. trucking company. The verdicts included punitive damages in the amount of \$2.05 million and compensatory damages in the amount of \$245,000. One woman was awarded, in addition, \$60,000 to compensate her for her expenses in defending a retaliatory lawsuit filed against her by Custom Companies.

EEOC had charged that the three female sales representatives were subjected to unwelcome groping, lewd sexual language, sexual propositions, and pornography, and that one was sued by Custom Companies in the Illinois state court because she complained to the EEOC. In addition, EEOC maintained that female sales representatives were expected to entertain Custom Companies customers and potential clients at the "Thee Doll House" and its successor "Crazy Horse Too," so-called "gentlemen's" or "strip" clubs on Kingsbury Street in Chicago now known as the "VIP's: A Gentlemen's Club." EEOC's evidence at trial indicated that the chief executive of Custom Companies also had an ownership interest in and was the chief executive of "Thee Doll House" and "Crazy Horse Too."

The EEOC's case at trial, supported by photographs, included evidence that strippers in revealing attire were positioned around the course at Custom Companies-sponsored golf outings for customers.

EEOC was represented by Trial Attorneys Richard Mrizek and Deborah Hamilton of the agency's Chicago District Office. Mrizek said, "Custom Companies' principal defense in the case appeared to be as it is in so many sexual harassment cases that nothing ever happened. This afternoon's verdict demonstrates the folly of that defense in the face of credible evidence to the contrary."

"The jury sent a big message this afternoon," Hamilton added, "not only to Custom Companies but to all employers. The message is that sexual harassment is just not acceptable period. Employers who don't get that are courting trouble the kind of trouble that can strike hard at the bottom line."

Mrizek and Hamilton noted that under the Civil Rights Act of 1991, the maximum amount which may be recovered on any particular claim in such cases is \$300,000 and that, therefore, certain of the awards made by the jury may be reduced in subsequent proceedings before the judge.

John Hendrickson, the EEOC's Regional Attorney in Chicago, said, "From time to time we hear it said that the big results EEOC achieves in harassment cases are suspect because so many of our resolutions take the form of consent decrees that is, without trials. Today, after an extended trial, a jury returned a verdict of almost \$2.4 million for three women. That ought to be a stake to the heart of any notion that we do not or cannot successfully try harassment cases. We can and will."

The EEOC's lawsuit was filed May 28, 2002 in the U.S. District Court for the Northern District of Illinois in Chicago and was captioned *EEOC v. Custom Companies, Inc. and Custom Distribution Network, Inc.*, Civil Action No. 02 C 3768. The case was assigned to District Judge Harry D. Leinenweber who oversaw pretrial proceedings and presided over the trial which concluded today. Chicago attorneys Marty Denis and Michael D. Robbins, who represented two of the women who had intervened in the case, also participated in the trial.

EEOC enforces federal laws prohibiting employment discrimination. Further information about the Commission is available on its web site at www.eeoc.gov.

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