

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

U.S. EQUAL EMPLOYMENT )  
OPPORTUNITY COMMISSION, )

Plaintiff, )

v. )

HAMILTON COMMUNICATIONS )  
GROUP, )

Defendant. )

Case No.

**03C 6062**

JUDGE GOTTSCHALL

JURY TRIAL DEMANDED

MAGISTRATE JUDGE KEYS

**DOCKETED**

AUG 28 2003

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION  
FILED-ED4  
AUG 28 2003

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 sex and to provide appropriate relief to Leslie A. Jones ("Jones"), and a class of female employees who were adversely affected by such practices. The U.S. Equal Employment Opportunity Commission (the "EEOC" or "Commission"), alleges that Defendant, Hamilton Communications Group ("Defendant"), discriminated against Jones and a class of female employees by subjecting them to sexual harassment, failing to correct the sexually hostile work environment, and subjecting them to constructive discharge, in violation of Title VII. The Commission alleges further that Defendant retaliated against Jones after she complained of the sexual harassment by subjecting her to different terms and conditions of employment and by terminating her employment, 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 Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

2. The unlawful acts alleged below were committed within the jurisdiction of the United States District Court for the Northern District of Illinois.

## PARTIES

3. Plaintiff, EEOC, is the 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 has continuously been a corporation doing business in the State of Illinois, County of Cook, and has continuously had 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, Jones filed a charge of discrimination with the Commission alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Pursuant to 42 U.S.C. § 2000e-5(f)(1), EEOC's representatives attempted to eliminate the unlawful employment practices alleged below and to effect voluntary compliance with Title VII prior to institution of the lawsuit but EEOC was unable to secure a conciliation agreement acceptable

to the Commission.

8. Since at least October 2001, Defendant has engaged in unlawful employment practices in violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a). These practices include, but are not limited to, sexually harassing Jones and a class of female employees, failing to correct the sexually hostile work environment, subjecting them to constructive discharge, and retaliating against Jones after she complained of sexual harassment by subjecting her to different terms and conditions of employment and by terminating her employment.

9. The effect of the practices complained of above has been to deprive Jones and a class of similarly situated female employees of equal employment opportunities and otherwise adversely affect their status as employees because of their sex.

10. The unlawful employment practices complained of in paragraphs 8 and 9 above were intentional.

11. The unlawful employment practices complained of in paragraphs 8 and 9 above were done with malice or with reckless indifference to the federally protected rights of Jones and a class of female employees.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, the Commission respectfully requests that this Court:

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

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

- C. Order Defendant to make whole Leslie A. Jones and a class of affected female employees 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 the unlawful employment practices;
- D. Order Defendant to make whole Leslie A. Jones and a class of female employees by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 8 and 9 above, in amounts to be determined at trial;
- E. Order Defendant to make whole Leslie A. Jones and a class of female employees by providing compensation for past and future non-pecuniary losses resulting from the unlawful employment practices described in paragraphs 8 and 9 above, including emotional pain, humiliation, and inconvenience, in amounts to be determined at trial;
- F. Order Defendant to pay punitive damages for its malicious and reckless conduct described in paragraphs 8 and 9 above, in amounts to be determined at trial;
- G. Grant such further relief as the 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 its Complaint.

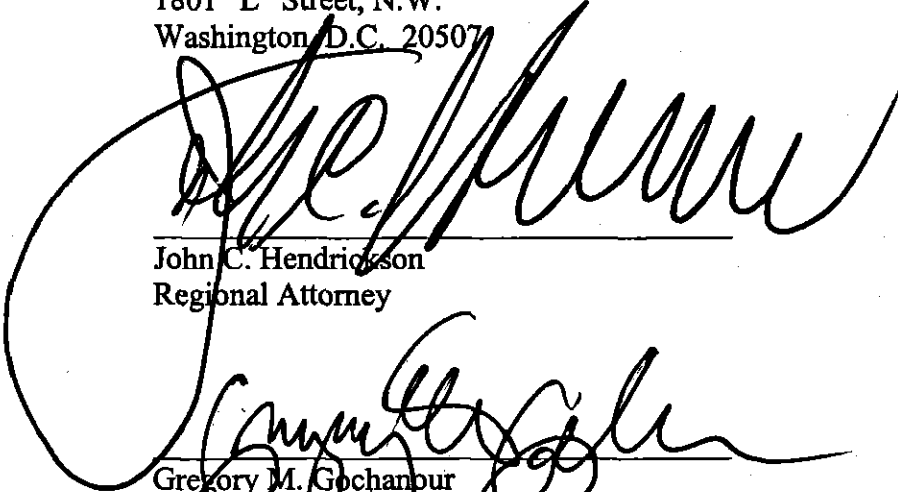
Respectfully submitted,

Eric S. Dreiband  
General Counsel

James Lee  
Deputy General Counsel

Gwendolyn Young Reams  
Associate General Counsel


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COMMISSION  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

**Civil Cover Sheet 93C 6062**

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.

**JUDGE GOTTSCHALL**

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

**Defendant(s): HAMILTON, MAGISTRATE JUDGE KEYS  
COMMUNICATIONS GROUP**

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:

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

III. Citizenship of Principal  
Parties (Diversity Cases Only)

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

IV. Origin : 1. Original Proceeding

V. Nature of Suit: 442 Employment

VI. Cause of 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 sex.

VII. Requested in Complaint

Class Action:  
Dollar Demand:  
Jury Demand: Yes

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

Signature: *June Wallace Calhoun*

Date: *August 28, 2003*

U.S. DISTRICT COURT  
FILED-ED-4  
AUG 28 AM 10:13  
AUG 28 2003  
*[Signature]*

DOCKET  
AUG 28 2003

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

In the Matter of

U.S. Equal Employment Opportunity Commission,  
Plaintiff,

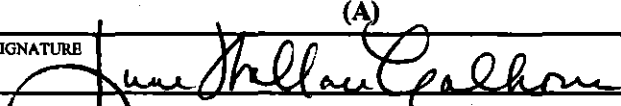
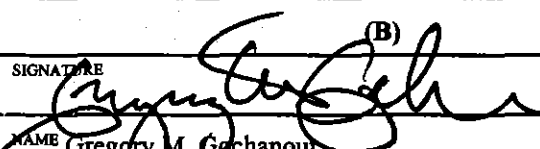
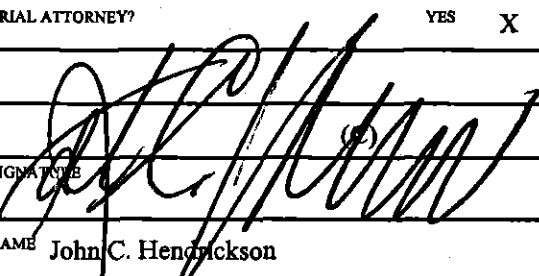
v.

Hamilton Communication Group,  
Defendant.

Case Number: **03C 6061**

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR **JUDGE GOTTSCHALL**  
Plaintiff, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**MAGISTRATE JUDGE KEYS**

(A)		(B)	
SIGNATURE 		SIGNATURE 	
NAME June Wallace Calhoun		NAME Gregory M. Gochanour	
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	
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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"/>		DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	
SIGNATURE 		SIGNATURE <b>DOCKETED</b>	
NAME John C. Hendrickson		NAME <b>AUG 28 2003</b>	
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)	
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TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input 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"/>	

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