

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

FILED
OCT 3 2003

JUDGE JOAN B. GOTTSCHALL
United States District Court

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

v.

LESLIE A. JONES,

Intervenor,

HAMILTON COMMUNICATIONS
GROUP,

Defendant.

No. 03 C 6062

Judge Joan B. Gottschall

Magistrate Judge Arlander Keys

Jury Trial Demanded

DOCKETED

OCT 07 2003

INTERVENOR'S COMPLAINT

Intervenor Leslie A. Jones, by and through her attorneys, **BARCLAY & DIXON, P.C.**, hereby complains against defendant Hamilton Communications Group ("Hamilton") as follows:

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), Title I of the Civil Rights Act of 1991, and 42 U.S.C. § 1981a, seeking relief for Plaintiff Leslie A. Jones ("Jones"), for discrimination in the terms and conditions of her employment based on her sex, female, and in retaliation against her for opposing unlawful discrimination. Hamilton subjected Jones to sexual harassment. After she complained of unlawful discrimination, Hamilton retaliated against her by subjecting her to different terms and conditions of employment, including when it discharged her in violation of Title VII. Jones brings this complaint to intervene

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in the action brought by the U.S. Equal Employment Opportunity Commission (“EEOC”).

Jurisdiction, Venue, and Parties

1. This Court has jurisdiction of this matter pursuant to 28 U.S.C §§ 1331, 1337, and 1343. The action is brought pursuant to Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §2000e-5(f)(1) and (3), Section 102 of the Civil Rights Act of 1991, and 42 U.S.C. §1981a.

2. Venue is proper pursuant to 28 U.S.C. § 1391 as the actions alleged herein occurred within this district.

3. EEOC is an agency of the United States of America charged with the administration, interpretation and enforcement of Title VII.

4. At all relevant times, Hamilton was a business organization doing business in Cook County, Illinois. Hamilton has more than fifteen employees, and is an employer engaged in an industry affecting commerce within the meaning of Title VII. 42 U.S.C. § 2000e(b), (g) and (h).

5. Jones was an employee of Hamilton within the meaning of Title VII. 42 U.S.C. §2000e(f).

Administrative Prerequisites

6. Jones filed a charge of discrimination with the EEOC within 300 days of Hamilton’s acts of discrimination and more than 30 days prior to the filing of this lawsuit.

7. Jones has fulfilled all conditions precedent to the filing of this action.

Factual Allegations

8. In or about March, 2001, Hamilton hired Jones in the position of Branded

Science Coordinator. On the date of her termination, Jones held the position of Account Management Coordinator.

9. In or about November, 2001, Hamilton's principal and in individual with supervisory authority over Jones, Jim Lee ("Lee"), made comments to Jones that she looked "hot."

10. Jones complained about Lee's comment, which was unwelcome and unreasonably interfered with her work performance and otherwise created an intimidating, hostile, and offensive working environment for Jones.

11. After Jones complained to Hamilton, Hamilton subjected her to different terms and conditions of employment than those enjoyed by other workers.

12. Among other things, Jones was forced to sign a memorandum stating satisfaction with the handling of her complaint.

13. Further, Lee, the same individual who made the unwelcomed comments to Jones, began to criticize Jones' work performance and referred to Jones' complaint described herein in doing so.

14. In or about March, 2002, Hamilton tried to coerce Jones into accepting a different position at Hamilton.

15. When Jones declined the position, Hamilton terminated her employment on or about May 13, 2002.

16. Jones alleges that Hamilton discharged her in retaliation for opposing unlawful discrimination.

17. In or about April, 2001, Jones had complained to Lee about comments that

he made about a co-worker suggesting that Lee and the co-worker had a sexual encounter.

18. Hamilton's actions deprived Jones of equal employment opportunities and otherwise adversely affected her status as an employee because of her sex, female, and in retaliation against her for engaging in a protected activity.

19. Hamilton acted intentionally, and with malice or/and reckless indifference to Jones' federally protected rights.

20. As a direct result of Hamilton's unlawful discriminatory practices and retaliation, Jones has suffered damages, including lost income, lost career opportunities, benefits, healthcare expenses, attorneys' fees and expenses, and severe humiliation and emotional distress.

WHEREFORE, Intervenor Leslie Jones requests that this honorable Court grant her a trial by jury and the following relief:

- A. Enter judgment in Jones' favor and against Hamilton finding that Hamilton unlawfully discriminated against Jones when she was subjected to sexual harassment, retaliation when she complained about unlawful discrimination, and different terms and conditions of her employment based upon her sex, female;
- B. Enter judgment for Jones and against Hamilton for lost income, including back pay, with prejudgment interest, bonuses, and other fringe benefits;
- C. Enter judgment for Jones and against Hamilton in a sum no less than One Hundred Thousand Dollars (\$100,000) and as determined at trial for

compensatory damages for pain, suffering, emotional distress, and mental anguish;

- D. Punitive damages against Hamilton for intentional discrimination in an amount as determined at trial;
- E. Front pay in an amount as determined at trial;
- F. Reasonable attorneys' fees, expert witness fees, and costs incurred in bringing this action to remedy unlawful discrimination; and
- G. Such additional relief deemed just and equitable.

Respectfully submitted,
LESLIE A. JONES

By: Crystal L. Roberts
One of the Intervenor's Attorneys

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