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02 APR 18  
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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOCKETED  
APR 18 2002

RHONDA PORTER, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 INTERNATIONAL PROFIT ASSOCIATES, INC. )  
 )  
 Defendant. )

Civil Action No. JUDGE NORDBERG

020 2790

MAGISTRATE JUDGE MARION

Trial By Jury Demanded

COMPLAINT

Plaintiff, RHONDA PORTER, states as follows:

**Jurisdiction and Venue**

1. This is an action for relief to redress the deprivation of Plaintiff's rights secured by Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.*; and also for relief pursuant to a pendant state claim.

2. This Court has jurisdiction of this action under 28 U.S.C. § 2000e-5(f)(3) and 28 U.S.C. § 1367.

3. Venue is proper pursuant to 28 U.S.C. § 1391(a).

**Parties**

4. Plaintiff, RHONDA PORTER is a female citizen of the United States and Illinois. At all times relevant herein, Plaintiff has resided in the district of this Court. Plaintiff was an employee of the Defendant INTERNATIONAL PROFIT ASSOCIATES, INC. ("IPA") from November, 1998 until on or about August 28, 2001, when she was unlawfully fired.

5. Defendant IPA is an Illinois business entity. Defendant is and was at all relevant times herein, an "employer" within the meaning of Title VII, 42 U.S.C. § 2000e(b).

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CLERK  
U.S. DISTRICT COURT

1-1

**Administrative Procedure**

6. On or about January 7, 2002, and within 300 days of the last act of discrimination, Plaintiff filed a charge of discrimination with the United States Equal Employment Opportunity Commission ("EEOC"), a copy of which is attached as Exhibit "A" to this Complaint.

7. On or about January 24, 2002, a "Notice of Right to Sue" was issued from the District Office of the EEOC for the charge of discrimination (a copy of which is attached to this Complaint as Exhibit "B"), entitling Plaintiff to institute a civil action in the appropriate Federal District Court within 90 days of the date of receipt of the notice. The notice was received by Plaintiff on January 28, 2002.

**COUNT I**  
**(Federal Claim-Sexual Discrimination)**

8. Plaintiff's last position with IPA was as a business coordinator.

9. At all times relevant hereto, Plaintiff performed her employment duties in a satisfactory manner.

10. Shortly after she began to work at IPA, and continuing throughout her employment with IPA, Plaintiff was sexually harassed and sexually discriminated against by management and/or supervisors of IPA. This unlawful discrimination and harassment included, but was not limited to the following:

- a. Being approached by Gordon Gurney and Joe Woods, supervisors at IPA, and being told by them that she must have sex with Dan Druggan, the Director of Sales for IPA. She was further told that if she did not agree to have sex with him, she would have problems at IPA. She was also told that she was doing well at IPA and if she wanted to continue to do well, she would do what she was told.;
- b. Dan Druggan, Director of Sales for IPA, forcing Plaintiff to have sex with him under the threat that if she did not, she would have problems at IPA;
- c. Being touched and/or hit on various parts of her body, without her consent, by management and supervisors of IPA, including but not limited to Gordon Gurney, David Soskin and Tony Jones. The areas of Plaintiff's body that were touched and/or hit included the breast, buttocks, vagina and back.

- d. Being called filthy sexual names and being told filthy sexual things by supervisors and managers of IPA, including but not limited to Tyler Burgess, Gordon Gurney, Tony Jones and David Soskin. The names and statements included, but were not limited to the following: “ghetto whore”, statements about Plaintiffs’ nipples, statements about Plaintiff’s breasts, and statements about Plaintiff being a bitch”. Tony Jones also told Plaintiff constantly that he and she would be “good together” sexually;
- e. Supervisor Tony Jones coming up to Plaintiff and rubbing his penis against her, stating that he had a “man size anaconda”;
- f. Gordon Gurney telling Plaintiff to have sex with another woman while Dan Druggan either watched or “joined in”; and
- g. Supervisors and management breaking into Plaintiffs’ phone calls with her husband and making sexual comments which included but were not limited to stating that Plaintiff was “going to go home with me” (referring to the supervisor or manager);

11. The acts alleged above were directed to Plaintiff because she is female, and the acts created a hostile work environment.

12. In 2001, Plaintiff participated in an investigation the Equal Employment Opportunity Commission (“EEOC”) was doing with regard to IPA. The investigation had to do with numerous claims of women that were sexually discriminated against and sexually harassed when they worked at IPA.

13. Approximately two weeks before Plaintiff was fired, Gordon Gurney told Plaintiff to have sex with Dan Druggan and Plaintiff refused. Nevertheless, Mr. Gurney kept coming back to Plaintiff again and again and Plaintiff kept refusing. At that point, Mr. Gurney stated that if Plaintiff did not have sex with Mr. Druggan, Mr. Druggan would be upset and “something” would happen to Plaintiff’s job and that she would be “sorry”.

14. On or about August 15, 2001, and after the events referred to in paragraph 12, Plaintiff was approached by managers and supervisors of IPA, and falsely accused of being drunk. Further, Plaintiff was assaulted, and physically and emotionally injured, by the managers and supervisors, and had to seek emergency care at a hospital.

15. Plaintiff was falsely accused and assaulted by management and supervisors at IPA because she refused to have sex with Dan Druggan and/or because Plaintiff had participated in an investigation performed by the EEOC with regard to claims of sexual discrimination that took place at IPA.

16. Plaintiff was not allowed to work at IPA after August 15, 2001. On or about August 28, 2001 Plaintiff was told she was discharged. This discharge was in retaliation for refusing to have sex with Dan Druggan and/or for participating in the EEOC investigation referred to above.

17. IPA supervisory and management level personnel had knowledge of each and every act alleged above, and did nothing to remedy the situation, and as a result, the acts of sexual harassment and sexual discrimination continued throughout Plaintiff's employment with IPA, and unlawful retaliation also took place. Due to Defendant's discriminatory behavior, Plaintiff has suffered monetary damage and emotional pain and suffering.

WHEREFORE, Plaintiff, RHONDA PORTER, prays that this court enter judgement in her favor on Count I and against Defendant, INTERNATIONAL PROFIT ASSOCIATES, INC. as follows:

- a. That a finding be entered that Defendant violated Title VII by sexually discriminating against Plaintiff;
- b. That Plaintiff be awarded the maximum monetary damages available;
- c. That Plaintiff be awarded all wages, benefits and other compensation due to her being wrongfully fired by the IPA;
- d. That Plaintiff be awarded punitive damages;
- e. That Plaintiff be awarded reasonable attorney's fees and costs; and
- f. That Plaintiff be awarded such other relief as this court deems proper.

**COUNT II**  
**(Federal Claim-Retaliation)**

18. Plaintiff adopts and realleges the allegations of paragraphs 1-17 as though fully set forth herein.

WHEREFORE, Plaintiff, RHONDA PORTER, prays that this court enter judgement on Count II in her favor and against Defendant, INTERNATIONAL PROFIT ASSOCIATES, INC. as follows:

- a. That a finding be entered that Defendant violated Title VII by retaliating against Plaintiff;
- b. That Plaintiff be awarded the maximum monetary damages available;
- c. That Plaintiff be awarded all wages, benefits and other compensation due to her being wrongfully fired by the IPA;
- d. That Plaintiff be awarded punitive damages;
- e. That Plaintiff be awarded reasonable attorney's fees and costs; and
- f. That Plaintiff be awarded such other relief as this court deems proper.

**COUNT III**  
**(State Claim-Intentional Infliction of Emotional Distress)**

19. Plaintiff adopts and realleges the allegations of paragraphs 1- 18 as though fully set forth herein.

20. The management and supervisors at IPA, including, but not limited to Gordon Gurney, Joe Woods, Dan Druggan, Tyler Burgess, David Soskin and Tony Jones, acted as the alter ego of IPA.

21. IPA's conduct was extreme and outrageous.

22. IPA knew that there was a high probability that its' conduct would cause plaintiff severe emotional distress, and acted in reckless disregard as to the effect of its' conduct on plaintiff.

23. The IPA'S conduct did in fact cause Plaintiff severe emotional distress.

WHEREFORE, Plaintiff, RHONDA PORTER, prays that this court enter judgement on Count III in her favor and against Defendant, INTERNATIONAL PROFIT ASSOCIATES, INC. as follows:

- a) That a finding be entered that the IPA injured Plaintiff by intentional infliction of emotional distress;
- b) That Plaintiff be awarded all wages, benefits, and other compensation lost due to the IPA'S unlawful actions;
- c) That Plaintiff be awarded the maximum monetary damages available;

- d) That Plaintiff be awarded punitive damages so that IPA does not act in a similar matter in the future;
- e) That Plaintiff be awarded reasonable attorneys fees and costs; and
- f) That Plaintiff be awarded such other relief as this court deems just and proper.

Respectfully submitted,

RHONDA PORTER

By: 

By one of her attorneys

ROSS J. PETERS  
The Law Offices of Ross J. Peters & Associates, Ltd.  
33 North County Street - Suite 402  
Waukegan, Illinois 60085  
Telephone: (847) 625-1854  
Facsimile: (847) 625-0282  
Attorney Number: 03126326

**SEE CASE  
FILE FOR  
EXHIBITS**

JS 44  
(Rev. 12/96)

2

# CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**DOCKETED**  
APR 18 2002

**I. (a) PLAINTIFFS**

RHONDA PORTER

**DEFENDANTS**

INTERNATIONAL PROFIT ASSOCIATES, INC.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF COOK  
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT COOK  
(IN U.S. PLAINTIFF CASES ONLY)

\* NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Ross J. Peters  
The Law Offices of Ross J. Peters  
& Associates, Ltd.  
33 N. County St., Suite 402  
Waukegan, Il. 60085 (847) 625-1854

ATTORNEYS (IF KNOWN)  
020 2790  
JUDGE NORDBERG

**II. BASIS OF JURISDICTION** (PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)  
(For Diversity Cases Only)

- Citizen of This State  1  1
- Citizen of Another State  2  2
- Citizen or Subject of a Foreign Country  3  3
- Incorporated or Principal Place of Business in This State  4  4
- Incorporated and Principal Place of Business in Another State  5  5
- Foreign Nation  6  6

**IV. ORIGIN** (PLACE AN "X" IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

**V. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

| CONTRACT   | TORTS  | FORFEITURE/PENALTY   | BANKRUPTCY   | OTHER STATUTES   |
|--|--|--|--|--|
| <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 610 Agriculture<br><input type="checkbox"/> 620 Other Food & Drug<br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 630 Liquor Laws<br><input type="checkbox"/> 640 R.R. & Truck<br><input type="checkbox"/> 650 Airline Regs.<br><input type="checkbox"/> 660 Occupational Safety/Health<br><input type="checkbox"/> 690 Other | <input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>PROPERTY RIGHTS</b><br><input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 840 Trademark   | <input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce/ICC Rates/etc.<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 810 Selective Service<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 875 Customer Challenge 12 USC 3410<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 892 Economic Stabilization Act<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice<br><input type="checkbox"/> 950 Constitutionality of State Statutes<br><input type="checkbox"/> 890 Other Statutory Actions |
| <b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property   | <b>CIVIL RIGHTS</b><br><input type="checkbox"/> 441 Voting<br><input checked="" type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 444 Welfare<br><input type="checkbox"/> 440 Other Civil Rights   | <b>PRISONER PETITIONS</b><br><input type="checkbox"/> 510 Motion to Vacate Sentence<br><input type="checkbox"/> 530 General Habeas Corpus<br><input type="checkbox"/> 535 Death Penalty<br><input type="checkbox"/> 540 Mandamus & Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition   | <b>LABOR</b><br><input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Mgmt. Relations<br><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | <b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS - Third Party 26 USC 7609  |

**VI. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Title VII of Civil Rights Act of 1964 as amended, 42 U.S.C. § 2000e et seq.

**VII. REQUESTED IN COMPLAINT**

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:  YES  NO

VIII. This case  is not a refiling of a previously dismissed action.

is a refiling of case number \_\_\_\_\_, previously dismissed by Judge \_\_\_\_\_

DATE

4/17/02

SIGNATURE OF ATTORNEY OF RECORD

*Ross J. Peters*



**DOCKETED**

**APR 18 2002**

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF ILLINOIS**

**RHONDA PORTER, PLAINTIFF,**

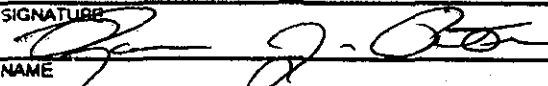
**In the Matter of**

**INTERNATIONAL PROFIT ASSOCIATES, INC., DEFENDANT.**

Case Number:

**020 2790**

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR: **JUDGE NORDBERG**  
**RHONDA PORTER** **MAGISTRATE JUDGE MASON**

| (A)  |   | (B)  |                     |
|--|---|--|---------------------|
| SIGNATURE<br> | SIGNATURE   | FILED<br>02 APR 18 AM 9:35<br>CLERK<br>U.S. DISTRICT COURT | U.S. DISTRICT COURT |
| NAME<br>ROSS J. PETERS   | NAME  |  |                     |
| FIRM<br>The Law Offices of Ross J. Peters & Associates, Ltd                                    | FIRM  |  |                     |
| STREET ADDRESS<br>33 N. County St. - Suite 402   | STREET ADDRESS  |  |                     |
| CITY/STATE/ZIP<br>Waukegan, Illinois 60085   | CITY/STATE/ZIP  |  |                     |
| TELEPHONE NUMBER<br>847-625-1854   | TELEPHONE NUMBER  |  |                     |
| IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)<br>03126326                                      | 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 type="checkbox"/>              |  |                     |
|  | DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/> |  |                     |
| (C)  |   | (D)  |                     |
| SIGNATURE  | SIGNATURE   |  |                     |
| NAME   | NAME  |  |                     |
| FIRM   | FIRM  |  |                     |
| STREET ADDRESS   | STREET ADDRESS  |  |                     |
| CITY/STATE/ZIP   | CITY/STATE/ZIP  |  |                     |
| TELEPHONE NUMBER   | TELEPHONE NUMBER  |  |                     |
| IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)  | IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)   |  |                     |
| MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>                  | MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>         |  |                     |
| TRIAL ATTORNEY? YES <input 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"/> |  |                     |

PLEASE COMPLETE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE.

1-2