

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

FILED-EDS
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CLERK
U.S. DISTRICT COURT

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

MOTOROLA, INC.

Defendant.

01C 7507

CIVIL ACTION NO.

JUDGE MANNING

MAGISTRATE JUDGE ASHMAN

COMPLAINT

JURY TRIAL DEMAND

DOCKETED

SEP 28 2001

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 religion to provide appropriate relief to Syed Farooq and Hadam Soliman. The Commission alleges that Defendant discriminated against Syed Farooq and Hadam Soliman on the basis of their religion by terminating their employment.

JURISDICTION AND VENUE

1. This action is brought by the United States Equal Employment Opportunity Commission to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq.

2. This action is authorized and instituted pursuant to Section 706(f)(1) and (3) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3).

3. This court has jurisdiction of this action pursuant to 28 U.S.C. § 451, 28 U.S.C. §

1331, 28 U.S.C. § 1337, 28 U.S.C. § 1343, 28 U.S.C. § 1345, and 42 U.S.C. § 2000e-5(f)(3).

4. The unlawful acts alleged below were and are now being committed within the jurisdiction of the United States District Court for the Northern District of Illinois.

PARTIES

5. Plaintiff, Equal Employment Opportunity Commission (the “Commission” or the “EEOC”), 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 § 706(f)(1) and (3), 42 U.S.C. § 2000e-5(f)(1) and (3).

6. At all relevant times, Defendant Motorola, Inc. (“Motorola”) has continuously been a corporation doing business in the State of Illinois, County of Cook.

7. At all relevant times, Defendant Motorola has continuously had at least fifteen (15) employees.

8. At all relevant times, Defendant Motorola has continuously been an employer engaged in an industry affecting commerce within the meaning of Section 701(b), (g) and (h) of Title VII, 42 U.S.C. § 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

9. More than thirty (30) days prior to the institution of this lawsuit, Syed Farooq and Hadam Soliman filed charges of discrimination with the Commission alleging violations of Title VII by Defendant (Charge numbers 210A04678 and 210A04674).

10. 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 this lawsuit but EEOC was unable to secure a conciliation

agreement acceptable to the Commission.

11. All conditions precedent to the institution of this lawsuit have been fulfilled.

12. From at least May 2000 until the present, Defendant has engaged in unlawful employment practices at Motorola in Schaumburg, Illinois in continuing violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a). These unlawful employment practices include, but are not limited to engaging in intentional discrimination against both Farooq and Soliman by failing to accommodate their religious observance requests and terminating their employment in violation of Title VII.

13. The result of the practices complained of above has been to deprive Syed Farooq and Hadam Soliman of equal employment opportunities and otherwise adversely affect their status as employees because of their religion.

14. The unlawful employment practices complained of above were and are intentional.

15. The unlawful employment practices complained of in paragraph 12 were done with malice or with reckless indifference to the federally protected rights of Syed Farooq and Hadam Soliman.

PRAYER FOR RELIEF

WHEREFORE, the Commission requests that this Court:

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

B. Order Defendant to institute and carry out policies, practices and programs which provide equal employment opportunities for its employees regardless of religion, and which

eradicate the effects of its unlawful employment practices;

C. Order Defendant to make whole Syed Farooq and Hadam Soliman adversely affected by the unlawful practices alleged above by providing appropriate back pay with pre-judgment 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 Syed Farooq and Hadam Soliman by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 12, above, in amounts to be determined at trial;

E. Order Defendant to make whole Syed Farooq and Hadam Soliman by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraph 12, above, including emotional pain, humiliation, and inconvenience in amounts to be determined at trial;

E. Order Defendant to pay punitive damages for its malicious and reckless conduct described in paragraph 12 above, in amounts to be determined at trial;

F. Grant such further relief as this Court deems necessary and proper in the public interest; and

G. Award the Commission its costs in this action.

JURY TRIAL DEMAND

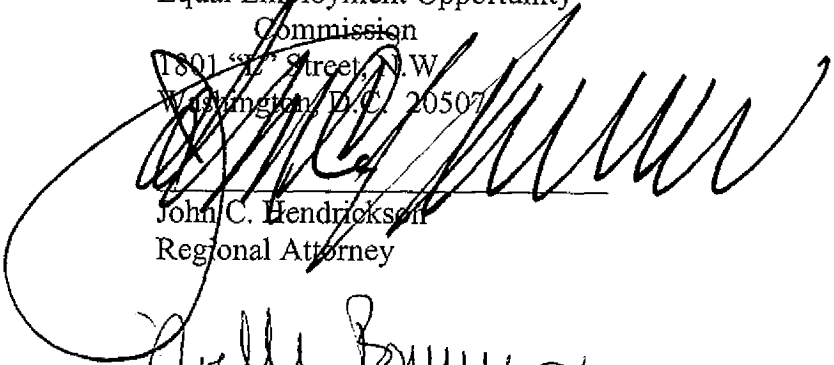
The Commission requests a jury trial on all questions of fact raised by the Complaint.

Respectfully submitted,

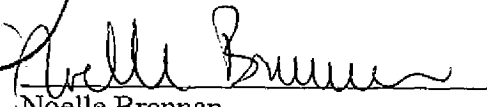
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Chicago, IL 60661
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

DOCKETED

SEP 28 2001

Case

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): EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

Defendant(s): MOTOROLA, INC.

County of Residence:

County of Residence:

Plaintiff's Atty: Noelle C. Brennan
Equal Employment Opportunity
Commission
500 W. Madison, Suite 2600
Chicago, IL 60661
312-353-7303

Defendant's Atty: Anne E. Duprey
Seyfarth Shaw
55 East Monroe, Suite 4200
Chicago, IL 60603-5803
312-269-8829

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

01C 7507

III. Citizenship of Principle
Parties (Diversity Cases Only)

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

JUDGE MANNING
MAGISTRATE JUDGE ASHMAN

IV. Origin : 1. Original Proceeding

V. Nature of Suit: 442 Employment

VI. Cause of Action: 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 religion.

VII. Requested in Complaint
Class Action:
Dollar Demand:
Jury Demand: Yes

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

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U.S. DISTRICT COURT

Signature: Noelle Brennan

Date: 9/28/01

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. **Note: You may need to adjust the font size in your browser display to make the form print properly.** Revised: 06/28/00

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

DOCKETED
SEP 28 2001

In the Matter of

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
plaintiff,
v.
MOTOROLA, INC.
defendant,

01C 7507

Case Number: **JUDGE MANNING**

MAJESTRATE JUDGE A. STEINMAN

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

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

(A)		(B)	
SIGNATURE <i>Noelle Brennan</i>	SIGNATURE <i>John C. Hendrickson</i>	SIGNATURE <i>[Signature]</i>	SIGNATURE <i>[Signature]</i>
NAME Noelle C. Brennan	NAME John C. Hendrickson	NAME [Signature]	NAME [Signature]
FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission	FIRM [Signature]	FIRM [Signature]
STREET ADDRESS 500 W. Madison, Suite 2800	STREET ADDRESS 500 W. Madison, Suite 2800	STREET ADDRESS [Signature]	STREET ADDRESS [Signature]
CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP [Signature]	CITY/STATE/ZIP [Signature]
TELEPHONE NUMBER (312) 353-7303	TELEPHONE NUMBER (312) 353-8551	TELEPHONE NUMBER [Signature]	TELEPHONE NUMBER [Signature]
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06228901	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 01187589	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) [Signature]	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) [Signature]
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(C)		(D)	
SIGNATURE	SIGNATURE	SIGNATURE	SIGNATURE
NAME	NAME	NAME	NAME
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STREET ADDRESS	STREET ADDRESS	STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP	CITY/STATE/ZIP	CITY/STATE/ZIP
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U.S. DISTRICT COURT

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