

DOCKETED

SEP 28 2001

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

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
NIELSEN & BAINBRIDGE, L.L.C.)
)
Defendant.)

01C 7508

CIVIL ACTION NO.

Jury Trial Demanded

MAGISTRATE JUDGE KEYS

FILED-EDS
SEP 28 11:54
JUDGE LEINENWEBER
U.S. DISTRICT COURT

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 to correct unlawful employment practices on the basis of race and sex and to provide appropriate relief to Maria Williams and a class of females who were adversely affected by such practices. Plaintiff, Equal Employment Opportunity Commission ("EEOC") alleges that Nielsen & Bainbridge, L.L.C. ("Nielsen & Bainbridge) subjected Maria Williams to sexual and racial harassment because of her sex, female and race, African-American. The EEOC also alleges that Nielsen & Bainbridge subjected a class of women to sexual harassment because of their sex (female) and a class of women to harassment because of their race (African-American).

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 Section 706(f)(1) and (3) of

Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3) and § 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981A.

2. The employment practices hereafter alleged to be unlawful were and are now being committed within the jurisdiction of the United States District Court for the Northern District of Illinois, Eastern Division.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission, 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 Section 706(f)(1) and (3) of Title VII, 42 U.S.C. Section 2000e-5(f)(1) and (3).

4. At all times relevant, Defendant Nielsen & Bainbridge, LLC, a limited liability corporation, registered in the state of Illinois, has continuously been doing business in the Northern District of Illinois and has continuously had at least fifteen employees.

5. At all times relevant, Nielsen & Bainbridge, 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. Sections 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Maria Williams filed a charge with the Commission alleging violations of Title VII by Nielsen & Bainbridge. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least June 12, 2000, Defendant Nielsen & Bainbridge has engaged in unlawful employment practices at its Bridgeview, Illinois facility, in violation of Sections 701(k) and 703(a) of Title VII, 42 U.S.C. Sections 2000e(k) and 2(a). Such unlawful employment practices have included: 1) subjecting Maria Williams to harassment because of her sex (female) and race (African-American), subjecting a class of women employees to sexual harassment, and 3) subjecting a class of African-American women to harassment because of their race.

8. The effect of the practices complained of above has been to deprive Williams, and classes of women employees adversely affected by the harassment, of equal employment opportunities and otherwise adversely affect their status as employees because of their sex (female) and race (African-American).

9. The unlawful employment practices complained of in paragraphs 7 and 8 above were intentional.

10. The unlawful employment practices complained of in paragraphs 7 and 8 above were done with malice or with reckless indifference to the federally protected rights of Williams and classes of women employees because of their sex (female) and race (African-American).

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Nielsen & Bainbridge, LLC, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in any employment practice which discriminates because of race and sex.

B. Order Defendant to institute and carry out policies, practices and programs which eradicate the effects of its past and present unlawful practices.

C. Order Defendant to make whole Williams and the affected classes 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 its unlawful employment practices.

D. Order Defendant to make whole Williams and the affected classes, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 7 and 8 above, including medical expenses, in amounts to be determined at trial.

E. Order Defendant to make whole Williams and the affected classes by providing compensation for past and future non-pecuniary losses resulting from the unlawful practices complained of in paragraphs 7 and 8 above, including emotional pain, inconvenience, and humiliation, in amounts to be determined at trial.

F. Order Defendant to pay Williams and the affected classes punitive damages for its malicious and reckless conduct described in paragraphs 7 and 8 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.

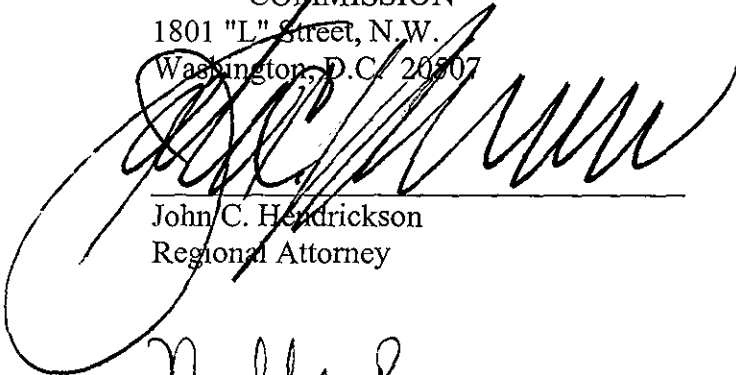
Respectfully submitted,

NICHOLAS M. INZEO
Acting Deputy General Counsel


GWENDOLYN YOUNG REAMS
Associate General Counsel

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

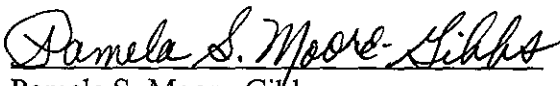
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COMMISSION

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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): NIELSEN & BAINBRIDGE,
L.L.C.**

County of Residence:

County of Residence:

Plaintiff's Atty: Pamela S. Moore-Gibbs
Equal Employment Opportunity
Commission
500 W. Madison, Suite 2800
Chicago, IL 60661
312-886-9120

Defendant's Atty: Edward C. Jepson, Jr.
Vedder Price Kaufman
Kammholz
222 N. LaSalle Street
Chicago, IL 60601-1003

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

OIC 7508

III. Citizenship of Principle
Parties (Diversity Cases Only)

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

JUDGE LEINENWEBER

MAGISTRATE JUDGE KEYS

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 § to correct unlawful employment practices on the basis of race and sex.

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

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

FILED-EDS
01 SEP 28 11:11:51
CLEM
U.S. DISTRICT COURT

Signature: Pamela S. Moore-Gibbs

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**

DOCKETED
SEP 28 2001

Eastern Division

01C 7508

In the Matter of

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
plaintiff,

v.
NIELSEN & BAINBRIDGE, LLC
defendant,

Case Number: **JUDGE LEINENWEBER**

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

(A)	(B)
SIGNATURE <i>Pamela S. Moore-Gibbs</i>	SIGNATURE <i>Noelle C. Brennan</i>
NAME Pamela S. Moore-Gibbs	NAME Noelle C. Brennan
FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission
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IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No.06197710	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06228901
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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"/>
(C)	(D)
SIGNATURE <i>John C. Hendrickson</i>	SIGNATURE
NAME John C. Hendrickson	NAME
FIRM Equal Employment Opportunity Commission	FIRM
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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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