

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

JUDGE COAR ✓

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

v.

STAFFING NETWORK, L.L.C.

Defendant.

MAGISTRATE JUDGE NOLAN

CIVIL ACTION NO.

**02C 1591**

COMPLAINT

JURY TRIAL DEMAND

DOCKETED

MAR 05 2002

FILED-ED5

02 MAR -5 AM 8:38

CLERK  
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, 42 U.S.C. § 1981a, to correct unlawful employment practices on the basis of sex and retaliation and to provide appropriate relief to Roseann Stuker and a class of female employees who were adversely affected by such practices. Plaintiff, Equal Employment Opportunity Commission ("EEOC" or "Commission") alleges that Staffing Network, L.L.C. ("Staffing Network") 1) subjected Roseann Stuker and a class of female employees to harassment because of their sex; 2) constructively discharged Roseann Stuker and a class of female employees; and 3) illegally retaliated against Roseann Stuker because she filed a charge of discrimination with the EEOC.

**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

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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 Sections 706(f)(1) and (3), 42 U.S.C. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant Staffing Network has continuously been a limited liability company doing business in the State of Illinois, County of Cook.

5. At all relevant times, Defendant Staffing Network has continuously had at least fifteen (15) employees.

6. At all relevant times, Defendant Staffing Network 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(b), (g) and (h).

### **STATEMENT OF CLAIMS**

7. More than thirty (30) days prior to the institution of this lawsuit, Roseann Stuker filed a charge with the Commission alleging violations of Title VII by Staffing Network. All conditions precedent to the institution of this lawsuit have been fulfilled.

8. 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.

9. Since at least August 1999, Staffing Network has engaged in unlawful employment practices at its facilities in violation of Section 703(a)(1), 42 U.S.C. § 2000e-2(a), and Section 704(a), 42 U.S.C. § 2000e-3 of Title VII. Such practices include:

- a) subjecting Roseann Stuker and a class of female employees to harassment because of their sex, including, but not limited to, offensive sexual comments and unwelcome touching;
- b) constructively discharging Roseann Stuker and a class of female employees by creating intolerable working conditions as a result of the sexual harassment; and
- c) retaliating against Roseann Stuker for filing a charge of sex discrimination with the EEOC.

10. The effect of the practices complained of in paragraph 9 above has been to deprive Roseann Stuker and a class of females of equal employment opportunities and otherwise adversely affect their status as employees because of their sex. The further effect of the practices complained of in paragraph 9 above has been to deprive Roseann Stuker of equal employment opportunities and otherwise adversely affect her status as an employee because she filed a charge with the EEOC.

11. The unlawful employment practices complained of in paragraph 9 above were and are intentional.

12. The unlawful employment practices complained of in paragraph 9 above were done with malice or with reckless indifference to the federally protected rights of Roseann Stuker

and a class of females.

**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 sex or which retaliate against any individual who opposes any practice made unlawful under Title VII or who has made a charge, testified, assisted or participated in any manner in an investigation, proceeding or litigation under Title VII;

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

C. Order Defendant to make whole Roseann Stuker and the class of females 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 Roseann Stuker and the class of females by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 9, above including, but not limited to attorney's fees for Roseann Stuker, in amounts to be determined at trial;

E. Order Defendant to make whole Roseann Stuker and a class of females by providing compensation for past and future non-pecuniary losses resulting from the unlawful

practices complained of in paragraph 9, above, including emotional pain, suffering, humiliation, and inconvenience in amounts to be determined at trial;

F. Order Defendant to pay Roseann Stuker and the class of females punitive damages for its malicious and reckless conduct described in paragraph 9 above, in amounts to be determined at trial;

G. Grant such further relief as this 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 the Complaint.

Respectfully submitted,

Nicholas M. Inzeo  
Acting Deputy General Counsel

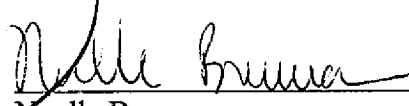
Gwendolyn Young Reams  
Associate General Counsel

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

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John C. Hendrickson  
Regional Attorney



Noelle Brennan  
Supervisory Trial Attorney



Ann Henry  
Trial Attorney

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

Chicago District Office  
500 West Madison Street  
Suite 2800  
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(312) 353-8558

*(CJT)*

**DOCKETED**

MAR 05 2002

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

**JUDGE COAR**

**MAGISTRATE JUDGE NOLAN**

**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): STAFFING NETWORK, L.L.C.**

County of Residence:

County of Residence:

Plaintiff's Atty: Ann Henry  
Equal Employment Opportunity  
Commission  
500 W. Madison, Suite 2800  
Chicago, IL 60661  
312-353-8558

Defendant's Atty:

**02C 1591**

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CLERK  
U.S. DISTRICT COURT

**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: Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §  
2000e et seq and Title I of the Civil Rights Act of 1991, 42 U.S.C. §  
1981a (Sex and Retaliation)**

**VII. Requested in Complaint**

Class Action:  
Dollar Demand:  
Jury Demand: **Yes**

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

**Signature:** *Ann M Henry*

**Date:** 3/5/02

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**

**JUDGE COAK**

**MAGISTRATE JUDGE**

Eastern Division

**02C 1591**

DOCKETED  
MAR 05 2002

In the Matter of

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

v.

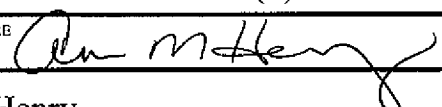
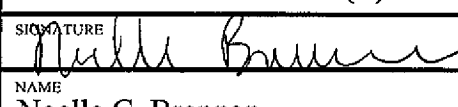
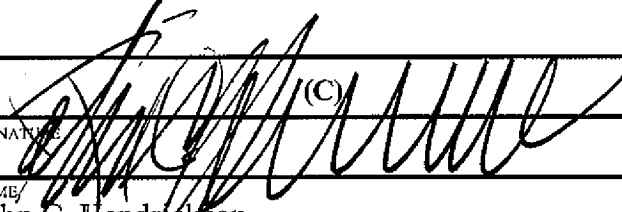
**STAFFING NETWORK, L.L.C.**

Case Number:

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

**UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

FILED  
02 MAR -5 AM 8:38  
CLERK  
U.S. DISTRICT COURT

(A)	(B)
SIGNATURE 	SIGNATURE 
NAME Ann Henry	NAME Noelle C. Brennan
FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission
STREET ADDRESS 500 W. Madison	STREET ADDRESS 500 W. Madison
CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP Chicago, IL 60661
TELEPHONE NUMBER (312) 353-8558	TELEPHONE NUMBER (312) 353-7582
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06272394	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 	SIGNATURE
NAME John C. Hendrickson	NAME
FIRM Equal Employment Opportunity Commission	FIRM
STREET ADDRESS 500 W. Madison	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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