

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

MAGISTRATE JUDGE CONLON
DENLOW

**U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,**)
)
)
) **Plaintiff,**)
)
)
) **v.**)
)
) **UNITED AIRLINES,**)
)
)
) **Defendant.**)

Case No.

02C

4594

JURY TRIAL DEMANDED

FILED-EDA
JUN 27 AM 8:45
U.S. DISTRICT COURT
ST. LOUIS

DOCKETED

JUN 27 2002

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 race and to provide appropriate relief to Phyllis E. Powell ("Powell" or "Charging Party"), who was adversely affected by such practices. The U.S. Equal Employment Opportunity Commission ("EEOC" or "Commission") alleges that Defendant United Airlines ("Defendant") discriminated against Charging Party on the basis of her sex, female, and race, Black by subjecting her to sex and race harassment. EEOC also alleges that Defendant retaliated against Charging Party after she complained of employment discrimination by subjecting her to different terms and conditions of employment and by discharging her, in violation of Title VII.

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 pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court in the Northern District of Illinois, Eastern Division.

PARTIES

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

4. At all relevant times Defendant United Airlines ("Defendant") has been and is now an Illinois corporation doing business in the State of Illinois and has continuously had and does now have at least fifteen (15) employees.

5. At all relevant times, Defendant 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-5 (b), (g) and (h).

STATEMENT OF CLAIMS

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

7. Since at least June 1999, Defendant has engaged in unlawful employment practices at its O'Hare Airport facility in violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a). These practices include, but are not limited to subjecting Powell to unwelcome touching, sexual

comments, ethnic slurs and otherwise harassing her on the basis of her sex, female, and race, Black, and subjecting her to retaliation when she complained of the employment discrimination that included subjecting her to different terms and conditions of employment and discharging her.

8. The effect of the practices complained of in paragraph 7 has been to deprive Powell of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex, female and race, Black.

9. The unlawful employment practices complained of in paragraph 7 above were intentional.

11. 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 Powell.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully prays that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, management personnel, employees, agents, successors, assigns and all persons in active concert or participation with it, from engaging in any employment practice which discriminates on the basis sex and race.

B. Order Defendant to institute and carry out policies, practices and programs which provide equal employment opportunities for its employees regardless of sex and race and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant to make whole Powell 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 Powell by providing compensation for pecuniary losses resulting from the unlawful employment practices described in paragraph 7, above, in amounts to be proved at trial.

E. Order Defendant to make whole Powell by providing compensation for non-pecuniary losses resulting from the unlawful practices complained of in paragraph 7 above, including pain, suffering, emotional distress, inconvenience and mental anguish, in amounts to be proved at trial.

F. Order Defendant to pay Powell punitive damages for its malicious and reckless conduct, as described in paragraph 7, in amounts to be proved at trial.

G. Grant such further relief as the Court deems necessary and proper.

H. Grant the Commission its costs in this action.

JURY TRIAL DEMANDED

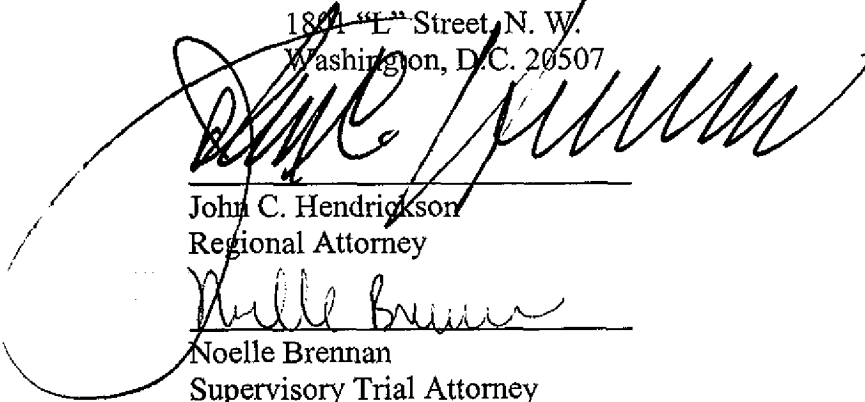
The Commission requests a jury trial on all questions of fact raised by the Complaint.

Respectfully submitted,

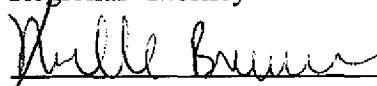
NICHOLAS INZEO
Acting Deputy General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

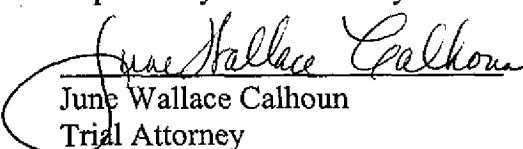
U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
1801 "L" Street, N. W.
Washington, D.C. 20507



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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Civil Cover Sheet

02C 459

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): U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

Defendant(s): UNITED AIRLINES

DOCKETED

JUN 27 2002

County of Residence:

County of Residence:

Plaintiff's Atty: June Wallace Calhoun
Equal Employment Opportunity
Commission
500 West Madison St., Ste.
2800, Chicago, IL 60661
(312) 353-7259

Defendant's Atty: Julie E. LaEace
Seyfarth, Shaw, Fairweather
& Geraldson
55 East Monroe St.,
Ste.4200, Chicago, Illinois
60603
(312) 269-8833

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

JUDGE CONLON

III. Citizenship of Principal
Parties (Diversity Cases Only)

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

MAGISTRATE JUDGE DENLOW

U.S. DISTRICT COURT

02 JUN 27 AM 8:45

FILED-ED4

IV. Origin : 1. Original Proceeding

V. Nature of Suit: 442 Employment

VI. Cause of Action: Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct the unlawful employment practices on the basis of race, sex and retaliation.

VII. Requested in Complaint

Class Action:
Dollar Demand:
Jury Demand: Yes

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

Signature: June Wallace Calhoun

Date: June 27, 2002

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

POCKETED

JUN 27 2002

JUDGE CONLON

In the Matter of

U.S. Equal Employment Opportunity Commission,
Plaintiff,

v.

United Airlines,
Defendant.

Case Number

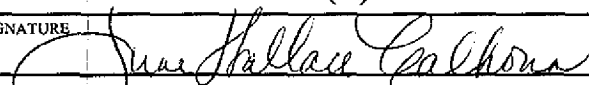
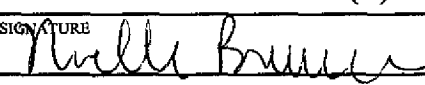
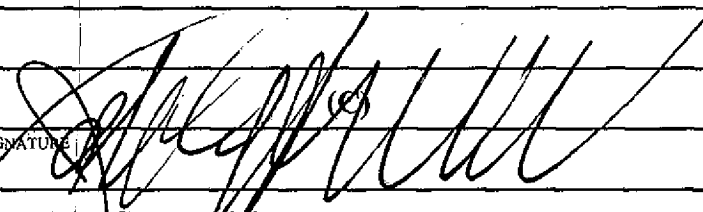
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MAGISTRATE JUDGE DENLOW

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

Plaintiff, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

FILED-EDA
 JUN 27 AM 8:45
 U.S. DISTRICT COURT

(A)	(B)
SIGNATURE 	SIGNATURE 
NAME June Wallace Calhoun	NAME Noelle C. Brennan
FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission
STREET ADDRESS 500 W. Madison St., Suite 2800	STREET ADDRESS ADDRESS 500 W. Madison St., Suite 2800
CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP Chicago, IL 60661
TELEPHONE NUMBER 312-353-7259	TELEPHONE NUMBER 312-353-7582
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) USDC No. 06202058	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 St., Suite 2800	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)
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 checked="" type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>