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

DOCKETED
SEP 26 2002

CLERK
U.S. DISTRICT COURT

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

URBAN RETAIL PROPERTIES CO.,

Defendant.

CIVIL ACTION NO.

020 6855
JUDGE GOTTSCHALL

MAGISTRATE JUDGE KEYS

COMPLAINT

JURY TRIAL DEMAND

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 to provide appropriate relief to Lilian Nunez, Amanda Wietting, Stephanie Coffey, Debra Neubauer, Jennifer Anderson ("the Charging Parties") employees of Urban Retail Properties Co. ("URP") and to a class of female employees who were adversely affected by such practices. Plaintiff, the U.S. Equal Employment Opportunity Commission (the "Commission"), contends Defendant, URP, has discriminated against the Charging Parties, and a class of other female employees because of their sex, by subjecting them to a hostile and abusive work environment, and by failing to take prompt remedial action intended to eliminate the harassment after the Defendant became aware of such behavior, in violation of Title VII.

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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) and Section 707 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) and -6, and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

2. The employment practices 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 the 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. § 2000e-5(f)(1) and (3).

4. At all relevant times, Defendant has continuously been and is now doing business in the State of Illinois and the city of Joliet and has continuously had 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-(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, the Charging Parties filed charges 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 1997, Defendant has engaged in unlawful employment practices at its facilities, in violation of Section 703(a)(1) of Title VII, 42 U.S.C. § 2000e-2(a)(1). These practices include, but are not limited to, engaging in intentional discrimination against the Charging Parties and against a class of female employees by subjecting them to sexual and sex-based harassment, and failing to take prompt remedial action intended to eliminate the harassment after the Defendant became aware of the illegal behavior, all in continuing violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a).

8. The effect of the practices complained of in paragraph seven (7) above has been to deprive the Charging Parties and a class of female employees of equal employment opportunities and otherwise adversely affect their status as employees because of their sex.

9. The unlawful employment practices complained of in paragraph seven (7) above were and are intentional.

10. The unlawful employment practices complained of in paragraph seven (7) above were and are done with malice or with reckless indifference to the federally protected rights of the Charging Parties and a class of female employees.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

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

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 past and present unlawful employment practices;

C. Order Defendant to make whole the Charging Parties and a class of female employees by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described above;

D. Order Defendant to make whole the Charging Parties and a class of female employees by providing compensation for past and future non-pecuniary losses, including emotional pain, suffering, inconvenience, loss of enjoyment of life and humiliation;

E. Order Defendant to pay the Charging Parties and a class of female employees punitive damages for its malicious and/or reckless conduct described, in amounts to be determined at trial;

F. Order Defendant and its successors to provide training to its officers, managers and employees regarding sexual harassment in the workplace;

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.

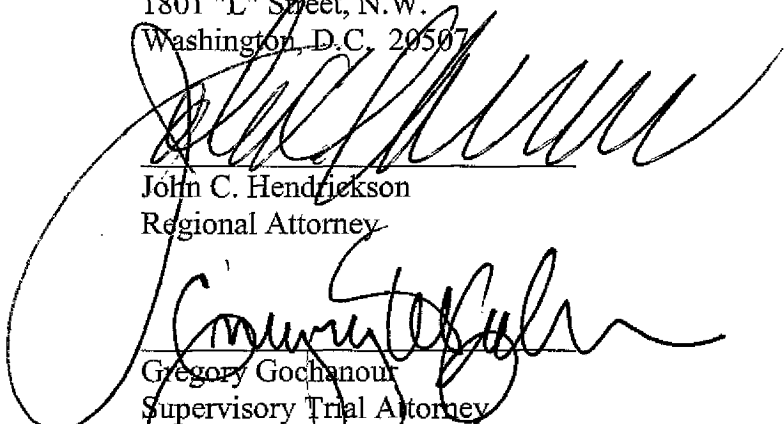
Respectfully submitted,

NICHOLAS M. INZEO
Acting Deputy General Counsel

GWENDOLYN YOUNG REAMS
Assistant General Counsel

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

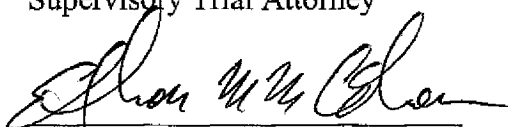
1801 "L" Street, N.W.
Washington, D.C. 20507



John C. Hendrickson
Regional Attorney

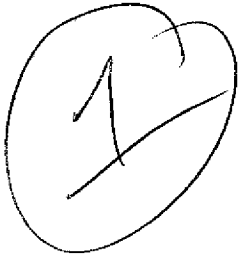
Gregory Gochanour
Supervisory Trial Attorney

Noelle Brennan
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Ethan M. M. Cohen
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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): United States Equal Employment Opportunity Commission

Defendant(s): Urban Retail Properties Co.

DOCKETED
SEP 26 2002

County of Residence:

County of Residence:

Plaintiff's Atty: Ethan Cohen
EEOC
500 W. Madison, #2800,
Chicago, IL 60661
(312) 353-7568

Defendant's Atty:

020 6855

JUDGE GOTTSCHALL

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

III. Citizenship of Principal Parties (Diversity Cases Only)

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

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. Discrimination on the basis of sex due to harassment.

VII. Requested in Complaint

Class Action:
Dollar Demand:
Jury Demand: Yes

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U.S. DISTRICT COURT

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

Signature: Ethan Cohen

Date: 9/25/02

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**

In the Matter of United States Equal Employment Opportunity Commission ("EEOC") v. Urban Retail Properties Co.

DOCKETED

SEP 26 2002

Case Number: **02C 6855**

JUDGE GOTTSCHALL

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

Plaintiff, EEOC

MAGISTRATE JUDGE KEYS

SIGNATURE		SIGNATURE	
NAME John Hendrickson		NAME Gregory Gochanour	
FIRM EEOC		FIRM EEOC	
STREET ADDRESS 500 W. Madison, Suite 2800		STREET ADDRESS 500 W. Madison, Suite 2800	
CITY/STATE/ZIP Chicago, IL 60661		CITY/STATE/ZIP Chicago, IL 60661	
TELEPHONE NUMBER (312) 353-8551		TELEPHONE NUMBER (312) 886-9124	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) A.R.D.C. No. 01187589		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) A.R.D.C. No. 06210804	
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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"/>
SIGNATURE		SIGNATURE	
NAME Ethan M. M. Cohen		NAME Noelle Brennan	
FIRM EEOC		FIRM EEOC	
STREET ADDRESS 500 W. Madison, Suite 2800		STREET ADDRESS 500 W. Madison, Suite 2800	
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TELEPHONE NUMBER (312) 353-7568		TELEPHONE NUMBER (312) 353-7582	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) A.R.D.C. No. 06206781		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 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"/>	DESIGNATED AS LOCAL COUNSEL?	YES <input type="checkbox"/> NO <input type="checkbox"/>

U.S. DISTRICT COURT
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