

**FILED**

NOV 01 2002

MICHAEL W. DOBBINS  
SENIOR U.S. DISTRICT COURT

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

EQUAL EMPLOYMENT OPPORTUNITY )	
COMMISSION, )	
	)
Plaintiff, )	Civil Action No. 02 C 6855
	)
and )	
	)
JENNIFER ANDERSON, STEPHANIE )	Judge Gottschall
COFFEY, DEBRA NEUBAUER, LILIAN )	
NUNEZ and AMANDA WEITTING, )	Magistrate Judge Keys
	)
Plaintiff-Interveners, )	<b>JURY TRIAL DEMAND</b>
	)
v. )	
	)
URBAN RETAIL PROPERTIES CO., )	
	)
Defendant. )	

**DOCKETED**  
NOV 04 2002

**COMPLAINT-IN-INTERVENTION**

Plaintiff-Interveners, JENNIFER ANDERSON, STEPHANIE COFFEY, DEBRA NEUBAUER, LILIAN NUNEZ and AMANDA WEITTING, by their attorneys, Edes and Rosen, hereby complain of the Defendant, URBAN RETAIL PROPERTIES as follows:

**JURISDICTION AND VENUE**

1. Jurisdiction of this court is invoked pursuant to 42 U.S.C. §2000e-5 (f)(3) and 28 U.S.C. §1331.

2. Plaintiff, filed complaint 02 C 6855 on September 25, 2002. In the complaint, Plaintiff asserts claims 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

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Civil Rights Act of 1991, 42 U.S.C. §1981a. Specifically, Plaintiff alleges that the Defendant discriminated against JENNIFER ANDERSON, STEPHANIE COFFEY, DEBRA NEUBAUER, LILIAN NUNEZ and AMANDA WEITTING and to a class of 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.

3. The acts complained of occurred at one of Defendant's work locations, located in Will County, Illinois. Accordingly, venue is properly set in this district under 28 U.S.C. §1331 et. seq..

4. Plaintiff-Interveners intervene in the above captioned case as party plaintiffs, pursuant to Rule 24(a) of the Federal Rules of Civil Procedure, and to 42 U.S.C. §2000e-5(f)(1);

#### PARTIES

5. Plaintiff-Interveners, JENNIFER ANDERSON, STEPHANIE COFFEY, DEBRA NEUBAUER, LILIAN NUNEZ and AMANDA WEITTING, are citizens of the State of Illinois.

6. Plaintiff-Interveners are current and former female employees of Defendant.

7. 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.

8. At all relevant times, Defendant has continuously been an employer engaged in industry affecting commerce with the meaning of 42 U.S.C. 2000e-(b), (g) and (h).

#### STATEMENT OF CLAIMS

9. October 5, 2000 and November 1, 2000, the Plaintiff-Interveners filed charges of discrimination against Urban Retail Properties with the Equal Employment Opportunity Commission ("EEOC"). Amended charges were filed in May of 2002 and a decision was finally reached by the EEOC on June 19, 2002. The EEOC found reasonable cause to believe that Urban Retail Properties discriminated against the Plaintiff-Interveners on the basis of their sex, female, in that they were subjected to sexual harassment in violation of Title VII. Conciliation failed and EEOC filed a complaint in United States Federal District Court. All conditions precedent to the institution of this lawsuit have been fulfilled.

10. Since at least 1997, Defendant has engaged in unlawful employment practices at its facilities, in violation of 42 U.S.C. §2000e-2(a)(1). These practices

include, but are not limited to, engaging in intentional discrimination against Plaintiff-Interveners by subjecting them to sexual harassment in a hostile working environment and failing to take prompt remedial action intended to eliminate the harassment after the Defendant became aware of the illegal behavior, all in ongoing and continuing violation of 42 U.S.C. §2000e-2(a).

11. The conduct by the Defendant is that which Plaintiff-Interveners, as well as any reasonable person, would consider sufficiently severe and pervasive, in violation of 42 U.S.C. §2000e *et. seq.*.

12. The working conditions at Urban Retail Properties evidenced a "hostile working environment" which was fostered and condoned by Defendant, in violation of 42 U.S.C. §2000e *et. seq.*.

13. The effect of the practices complained of by Plaintiff-Interveners has been to adversely affect their status as employees because of their sex and cause them loss of income, emotional distress, anxiety, embarrassment, humiliation and loss of status and self-esteem.

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

15. The unlawful employment practices complained of were and are done with malice or with reckless indifference

to the federally protected rights of the Plaintiff-Intervenors.

Wherefore, JENNIFER ANDERSON, STEPHANIE COFFEY, DEBRA NEUBAUER, LILIAN NUNEZ and AMANDA WEITTING respectfully request that this Court:

A. Grant Plaintiff-Intervenors intervention in this case;

B. Order Defendant to make whole the Plaintiff-Intervenors by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described above.

C. Order Defendant to make whole Plaintiff-Intervenors by providing compensation for past and future non-pecuniary losses, including emotional pain, suffering, inconvenience, loss of enjoyment of life and humiliation;

D. Order Defendant to pay Plaintiff-Intervenors punitive damages for its malicious and/or reckless conduct described, in amounts to be determined at trial;

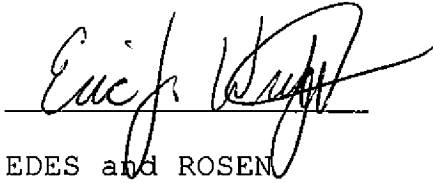
E. Order Defendant to pay reasonable attorney's fees and costs incurred in this action;

F. Grant other relief as this Court deems just and appropriate.

JURY TRIAL DEMAND

The Plaintiff-Interveners request a jury trial on all questions of fact raised by their Complaint.

Respectfully submitted,

  
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EDES and ROSEN

By: Eric J. Wright

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