



SD-IL-0001-0005

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
COUNTY OF WINNEBAGO

COPY

CIVIL ACTION

97 C 50326

PARENTS AGAINST CONTROLLED )  
CHOICE, an unincorporated association; )  
COURTNEY SMITH, a minor, by her parents, )  
and next friend, RON MANNS and SHEILA )  
MANNS; CHRISTINA SHAVER, a minor, by )  
her parents, and next friend, MARK SHAVER )  
and DAWN SHAVER; RYAN ERICKSON, )  
a minor, by his parents, and next friend, )  
HARRY ERICKSON and LISA ERICKSON; )  
JESSIE-JR. and JAMECKA, minors )  
by their parents, and next friend, JESSE )  
LEACH and ROSALIND OWENS; )  
KEYOSHA LOTTIE, KENESHA LOTTIE and )  
KENNETH LOTTIE, minors, their parent, and )  
next friend, CAROLYN LOTTIE; DESIREE )  
CLARK and CHRISTOPHER CLARK, minors, )  
by their parents, and next friend, CHARLIE )  
CLARK and AMY CLARK; ANDREW )  
TROTTER, a minor by his parents, and next )  
friend, DON TROTTER and DARCY )  
TROTTER; MICHAEL SARVER, a minor, by )  
his parents, and next friend, PATRICK )  
SARVER and MARY BETH SARVER; )  
ALEXANDER SCHLEUTERMANN, a minor, )  
by his parents, and next friend, CARL )  
SCHLEUTERMANN and CATHERINE )  
SCHLEUTERMANN; TRAVIS GAUT, a )  
minor by his parents, and next friend, DONNA )  
GAUT and GREG GAUT; DUSTY WILSON, )  
a minor, by his parents, and next friend, PAUL )  
WILSON and PENNY WILSON; MELISSA )  
PARNELLO, a minor, by her parents, and next )  
friend, MICHAEL PARNELLO and )  
LINDA L. PARNELLO; MARQUISHA )  
GRIFFIN, a minor, by her parent, and next )  
friend, TAMILA ADAMS; ANTOINETTE )  
PARCHMAN, a minor, by her parent, and next )  
friend, ANN HOLLIMAN; ADAM WALKER )  
and ALAN WALKER, minors, by their parents, )  
and next friend, LON WALKER and RENEE )  
WALKER; CAROLYN WARNER, MELISSA )

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SEP 10 1997

MICHAEL W. DOBBING, CLERK  
UNITED STATES DISTRICT COURT

CASE NO. 97

WARNER and MATTHEW WARNER, )  
minors, by their parents, and next friend, )  
TOM WARNER and CATHY WARNER; )  
CARISSA PHELAN, a minor, by her parent, )  
and next friend, DEBBIE FOSTER; NICOLAS )  
SCHMOLL and MATTHEW SCHMOLL, )  
minors, by their parents, and next friend, )  
ARNIE SCHMOLL and BRENDA SCHMOLL;) )  
BRIANNA DYKHUIZEN, a minor, by her )  
parents, and next friend, LORI DYKHUIZEN )  
and RON DYKHUIZEN; CHRISTINE )  
HUXMAN, a minor, by her parent, and next )  
friend, MARCIA WIERCK; ASHLEY )  
GILMORE, a minor, by her parent, and next )  
friend, TODD GILMORE; KRISTIN )  
KADERABECK, a minor, by her parents, and )  
next friend, DENNIS KADERABECK and )  
JAN KADERABECK; SARA STRICKLAND, )  
a minor, by her parents, and next friend, )  
JEFF BOLLOCK and DARALEE BOLLOCK; )  
ERIC HOOPER, CORY HOOPER and )  
BRITTANY HOOPER, minors, by their parent, )  
and next friend, JENNY HOOPER; KEVIN )  
UNDERWOOD, a minor, by his parents, and )  
next friend, THOMAS UNDERWOOD and )  
ELAINE UNDERWOOD; ADAM )  
VORACHIT, a minor, by his parents, and next )  
friend, YEN VORACHIT; ALEX LAWTON )  
and ERIC LAWTON, a minor, by their parent, )  
and next friend, TERRA LAWTON; TIFFANY )  
VANDERKOLK, a minor, by her parent, and )  
next friend, LAURA VANDERKOLK; )  
KHANEIDRA HILL, a minor, by her parents, )  
and next friend, CHARLES HILL and SHEILA )  
HILL; BRITTANY, a minor, by her parents, )  
and next friend, JEFFERY BATSON and )  
TINA HUFF; NICHOLAS WYATT and )  
DOUGLAS WYATT, minors, by their parents, )  
and next friend, BRAD WYATT and )  
MARILYN WYATT; ANGELINA ALLEN )  
and LUJZON ALLEN, minors, by their parents, )  
and next friend, DON ALLEN and )  
ELIZABETH ALLEN; RICHARD )  
ANDERSON, a minor, by his parents, and next )  
friend, ROSS ANDERSON and AMY )  
ANDERSON; RENAY IRVIN, a minor, by her )

parents, and next friend, BRIAN IRVIN and )  
 MARY SANSONE; KERSTEN SHELTON )  
 and HARLEE SHELTON, minors, by their )  
 parents, and next friend, KEN SHELTON and )  
 KARLA SHELTON; BRITTANY NELSON )  
 and ELLA NELSON, minors, by their parents, )  
 and next friend, TOM NELSON and SHAYNA )  
 NELSON; MATTHEW WITTNER and )  
 MICHAEL WITTNER, minors, by their parents, )  
 and next friend, MARK WITTNER and )  
 MARCIA WITTNER; STEVEN BAXTER, )  
 a minor, by his parents, and next friend, )  
 BRENT BAXTER and MARGARET BAXTER; )  
 JACK RHEINGANS and SEIL RHEINGANS, )  
 minors, by their parents, and next friend, JIM )  
 RHEINGANS and DEBBIE RHEINGANS; )  
 RICARLUS CURTIS, a minor, by his parent, )  
 and next friend, JOY CURTIS; CHRISTINE )  
 BURKHART, a minor, by her parents, and next )  
 friend, DAVID BURKHART and ANNA )  
 BURKHART; DANELLE JOHNSON, a minor, )  
 by her parents, and next friend, STEVE )  
 JOHNSON and CHAR JOHNSON; RACHEL )  
 WARRINGTON, a minor, by her parents, and )  
 next friend, ROWLAND WARRINGTON and )  
 REBECCA WARRINGTON; KEVIN VEIGEL, )  
 a minor, by his parents, and next friend, UWE )  
 VEIGEL and ANNA VEIGEL; SHERESE )  
 TENNIAL and DONNETTE TENNIAL, )  
 minors, by their parent, and next friend, )  
 WILLIE MAE TENNIAL; DEONDRA )  
 HARRIS, a minor, by her parent, and next )  
 friend, ANNA HARRIS; SHEKEDIRA )  
 WILLIAMS, a minor, by her parent, and next )  
 friend, MARCIE WILLIAMS; PHILLIP )  
 CALTAGERONE, a minor, by his parent, and )  
 next friend, STEPHANIE CALTAGERONE; )  
 ALEXANDRIA DOBRATZ and CAROL )  
 DOBRATZ, minors, by their parent, and next )  
 friend, KIMBERLY DOBRATZ; MATTHEW )  
 ALBRIGHT and MICHAEL ALBRIGHT, )  
 minors, by their parents, and next friend, )  
 MICHAEL ALBRIGHT and MEREDITH )  
 ALBRIGHT; JUNITA STONECIPHER, a )  
 minor, by her parent, and next friend, RUBY )  
 STONECIPHER; SHANE MURPHY, a minor, )

by his parent, and next friend, TAMMY MURPHY;  
 RYAN MCCORMICK, a minor, by his parent, )  
 and next friend, BONNIE MCCORMICK; )  
 ANNIEA EWALDZ, a minor, by her parents, )  
 and next friend, DAVID and ADINA )  
 EWALDZ; ALYSSA KASTEN, a minor, by )  
 her parent, and next friend, AMY KASTEN; )  
 MORGAN COOPER, a minor, by her parent, )  
 and next friend, LAURIE A. COOPER; )  
 CASSANDRA BLAISDELL and KIMBERLY )  
 BLAISDELL, minors, by their parent, and next )  
 friend, CONNIE BLAISDELL; RYAN, a minor, )  
 by his parents, and next friend, MIKE )  
 CAPRIOLA and BARB ERICKSON; SHAYLA )  
 HOWARD and NICHOLAS HOWARD, )  
 minors, by their parent, and next friend, ROBIN )  
 HOWARD; CAITLIN WALSH, a minor, by her )  
 parents, and next friend, JOHN WALSH and )  
 SUSAN WALSH; AMANDA TURNER, a )  
 minor, by her parent, and next friend, SABRINA )  
 TURNER; LEO WASKIEWICZ, JR., a minor, )  
 by his parents, and next friend, LEO )  
 WASKIEWICZ and BARB WASKIEWICZ; )  
 BRITTANY DUNKIN, a minor, by her parent, )  
 and next friend, TAMMY DUNKIN; JUSTIN )  
 FRANCK, a minor, by his parent, and next )  
 friend, BILLIE FRANCK; MICHAEL )  
 DEVLIEGER, a minor, by his parents, and next )  
 friend, JEFF DEVLIEGER and DeANN )  
 DEVLIEGER; DOMEICA BUTITTA and )  
 HANNAH BUTITTA, minors, by their parent, )  
 and next friend, MARY BUTITTA; )  
 SHEDURA STOCKWELL, a minor, by her )  
 parent, and next friend, LUGINA HORTON; )  
 JESSIE MILES, a minor, by his parents, and )  
 next friend, JESSE MILES and KAREN )  
 MILES; CRYSTAL LOWRY, a minor, by her )  
 parents, and next friend, RICHARD HESLER )  
 and MARY HESLER; KARA OLSON, a minor, )  
 by her parents, and next friend, MITCH )  
 OLSON and SHARON OLSON; BRITTANY )  
 FENNELL, a minor, by her parents, and next )  
 friend, ALLEN FENNELL and LAURA )  
 FENNELL; KAYLA EISNAN, a minor, by her )  
 parent, and next friend, KAREN EISNAN; )  
 NICHOLAS HEDBERG, a minor, by his parent, )

and next friend, MINDY HEDBERG; )  
 JACQUELINE PAULSON and JORDAN )  
 PAULSON, minors, by their parent, and next )  
 friend, MIKE PAULSON; STEVEN JONES, )  
 a minor, by his parent, and next friend, KAREN )  
 JONES; KAITLYNN LAURSEN, a minor, by )  
 her parent, and next friend, SUE LAURSEN; )  
 DANIEL ROCCAFORTE, a minor, by his )  
 parent, and next friend, KAYE ROCCAFORTE;) )  
 ALEX SCHWEINLER, a minor, by his parent, )  
 and next friend, PAULA SCHWEINLER; )  
 BRITTANY BLACKBURN, a minor, by her )  
 parents, and next friend, CHRIS BLACKBURN) )  
 and REBECCA BLACKBURN; SHELDON )  
 BAXTER, a minor, by his parents, and next )  
 friend, STEVE BAXTER and PATRICIA )  
 BAXTER; and BRANDON ALEXANDER and )  
 DENNIS ALEXANDER, minors, by their )  
 parent and next friend, BRANDY )  
 ALEXANDER; )

Plaintiffs, )

vs. )

BOARD OF EDUCATION, ROCKFORD )  
 SCHOOL DISTRICT NO. 205, Winnebago )  
 and Boone Counties, Illinois, a municipal )  
 corporation, )

Defendant. )

**COMPLAINT**

COME NOW the plaintiffs, above-named, by their attorney, G. MICHAEL SCHEURICH, and as and for their complaint against the defendant alleges as follows:

**I. Parties.**

1. The plaintiffs are minor school children, resident within the defendant school district, located primarily in Winnebago County, Illinois, by their parents and next friends, and an unincorporated association comprising some or all of the aforesaid parents.

2. The defendant is a special charter school district, operating elementary and high schools primarily in the City of Rockford, Illinois and surrounding areas in Winnebago and Boone Counties, and is a municipal corporation and body politic and a subdivision of the State of Illinois.

## **II. Jurisdiction.**

3. The plaintiffs bring this action to redress, rights, privileges and immunities guaranteed by the Constitution and laws of the United States and of the State of Illinois, particularly the right to equal educational opportunities free from racial discrimination.

4. The defendant, SCHOOL DISTRICT, has adopted and is implementing a program of student assignment to schools within the district based on the race of the student to be so assigned. This program of racially determined school assignment is commonly known as "controlled choice" and defendant, SCHOOL DISTRICT, purports to implement the plan of controlled choice pursuant to certain decrees and orders entered by the Federal District Court for the Northern District of Illinois in the case captioned People Who Care v. Rockford Board of Education School District No. 205.

5. Jurisdiction of this court is found specifically in 28 U.S.C. 1331, 1334(a)(3), and (a)(4), authorizing suit under 42 U.S.C. 1983 and 1988, and also 20 U.S.C. 2201 and 2202.

## **III. General Allegations.**

6. Despite there being openings for attendance, the plaintiffs have been denied access, by the defendant, to schools conducted by the defendant, on the basis of the race of each such plaintiff, as follows:

Student's Name	Race	School Denied
Courtney Smith	Black	Haskell
Christina Shaver	White	Flinn
Ryan Erickson	White	Flinn
Jessie Jr.	Black	Froberg
Jamecka	Black	Froberg
Keyosha Lottie	Black	Lewis Lemon
Kenesha Lottie	Black	Lewis Lemon
Kenneth Lottie	Black	Lewis Lemon
Desiree Clark	White	Lewis Lemon
Christopher Clark	White	Lewis Lemon
Andrew Trotter	White	Bloom
Michael Sarver	White	Flinn
Alexander Schleutermann	White	Froberg
Travis Gaut	White	Whitehead
Dusty Wilson	White	Flinn
Melissa Parnello	White	Lincoln
Marquisha Griffin	Black	Beyer
Antoinette Parchman	Black	Beyer
Adam Walker	White	Hillman
Alan Walker	White	Froberg
Carolyn Warner	White	Conklin
Melissa Warner	White	Conklin
Matthew Warner	White	Conklin
Carissa Phelan	White	Jackson
Nicolas Schmoll	White	Rolling Green
Matthew Schmoll	White	Rolling Green
Brianna Dykhuizen	White	Rolling Green
Christine Huxman	White	Westview
Ashley Gilmore	White	Froberg
Kristin Kaderabeck	White	Froberg

Student's Name	Race	School Denied
Sara Strickland	White	Froberg
Eric Hooper	Black	Ellis
Cory Hooper	Black	Ellis
Brittany Hooper	Black	Ellis
Kevin Underwood	Mixed	Bloom
Adam Vorachit	Laos	Flinn
Alex Lawton	Hispanic	Flinn
Eric Lawton	Hispanic	Gregory
Tiffany Vanderkolk	White	Summerdale
Khanēdra Hill	Black	Alice
Brittany	White	King
Nicholas Wyatt	Mixed	Westview
Douglas Wyatt	Mixed	Westview
Angelina Allen	Black	Washington
Lujzon Allen	Black	Washington
Richard Anderson	White	Springcreek
Renay Irvin	White	Flinn
Kersten Shelton	White	White Swan
Harlee Shelton	White	White Swan
Brittany Nelson	White	White Swan
Ella Nelson	White	White Swan
Matthew Wittner	White	White Swan
Michael Wittner	White	White Swan
Steven Baxter	White	White Swan
Jack Rheingans	White	White Swan
Seil Rheingans	White	White Swan
Ricarlus Curtis	Black	Auburn
Christine Burkhart	White	Flinn
Danelle Johnson	White	Thompson
Rachel Warrington	White	Thompson



<b>Student's Name</b>	<b>Race</b>	<b>School Denied</b>
Kevin Veigel	German	Thompson
Sherese Tennial	Black	Ellis
Donnette Tennial	Black	Ellis
Deondra Harris	Black	Carlson
Shekedira Williams	Black	Lewis Lemon
Phillip Caltagerone	White	Welsh
Alexandria Dobratz	White	Whitehead
Carol Dobratz	White	Whitehead
Matthew Albright	White	Welsh
Michael Albright	White	Welsh
Junita Stonecipher	Black	Ellis
Shane Murphy	White	Rolling Green
Ryan McCormick	White	Flinn
Anniea Ewaldz	White	Bloom
Alyssa Kasten	White	Carlson
Morgan Cooper	White	Thompson
Cassandra Blaisdell	White	Walker
Kimerly Blaisdell	White	Walker
Ryan	White	Flinn
Shayla Howard	White	Gregory
Nicholas Howard	White	Gregory
Caitlin Walsh	White	Brookview
Amanda Turner	White	Welsh
Leo Waskiewicz, Jr.	White	White Swan
Brittany Dunkin	White	Beyer
Justin Franck	Hispanic	Flinn
Michael Devlieger	White	Flinn
Domeica Butitta	White	Gregory
Hannah Butitta	White	Gregory
Shedura Stockwell	Black	Ellis

Student's Name	Race	School Denied
Jessie Miles	White	Froberg
Crystal Lowry	White	West
Kara Olson	White	Carlson
Brittany Fennell	White	Froberg
Kayla Eisnan	White	Thompson
Nicholas Hedberg	White	Nelson
Jacqueline Paulson	White	Milford
Jordan Paulson	White	Froberg
Steven Jones	White	Nelson
Kaitlynn Laursen	White	Brookview
Daniel Roccaforte	White	West
Alex Schweinler	White	Brookview
Brittany Blackburn	White	Thompson
Sheldon Baxter	White	Flinn
Brandon Alexander	White	White Swan
Dennis Alexander	White	White Swan

7. Without judicial intervention, the defendant will continue to implement the program of controlled choice, thereby denying student's preferred class and school assignments impermissibly based on the race of the student.

8. The financial burden to the defendant of relief herein is slight when compared with the deprivation of constitutional rights suffered by the plaintiffs.

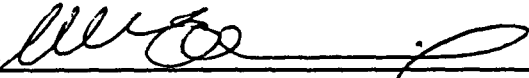
WHEREFORE, it is respectfully prayed that this court:

A. Grant such preliminary and permanent injunctions as may be necessary to enjoin the defendant from engaging in impermissible racial discrimination not justified by compelling state interest or required to redress racial segregation caused by a constitutional violation by the defendant.

B. Declare the rights of the parties in such manner and form as this court deems meet and just.

C. Award plaintiffs their costs and reasonable attorney's fees herein.

PARENTS AGAINST CONTROLLED CHOICE, an  
unincorporated association, Plaintiffs,

By  \_\_\_\_\_  
(One of their attorneys)

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