

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

FILED-ED4
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CLERK
U.S. DISTRICT COURT

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

v.)

INTERNATIONAL PROFIT ASSOCIATES,)
INC.,)

and)

ARNOLD & SONS PLUMBING, INC.)

Defendants.)

CIVIL ACTION NO.

01C 4428

JUDGE CASTILLO

MAGISTRATE JUDGE LEVIN
COMPLAINT

JURY TRIAL DEMAND

NATURE OF THE ACTION

DOCKETED

JUN 13 2001

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 Lynn Zachman ("Zachman"), an employee of Arnold & Sons Plumbing, Inc. ("A&S") who was adversely affected by such practices. Plaintiff, the U.S. Equal Employment Opportunity Commission (the "Commission"), contends Defendant International Profit Association, Inc. ("IPA") discriminated against Zachman because of her sex, by subjecting her to sexual harassment on the premises of A&S, and failing to take prompt remedial action intended to eliminate the harassment after the Defendant became aware of the illegal behavior, thereby interfering with her business relationship with A&S, in violation of Title VII. The Commission also contends that Defendant A&S discriminated against Zachman because of her sex, by

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terminating her employment in retaliation for her complaint of sexual harassment, 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 Section 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3), 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 IPA has continuously been and is now doing business in the State of Illinois and the city of Buffalo Grove and has continuously had at least fifteen (15) employees. At all relevant times, Defendant A&S has continuously been and is now doing business in the state of Illinois and the city of Peoria and has continuously had at least fifteen (15) employees.

5. At all relevant times, Defendants have continuously been employers 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, Zachman filed charges with the Commission alleging violations of Title VII by Defendants. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least April 1999, Defendant IPA has engaged in unlawful employment practices 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, subjecting Zachman to sexual harassment on the premises of A&S, and failing to take prompt remedial action intended to eliminate the harassment after the Defendant became aware of the illegal behavior, thereby interfering with her business relationship with A&S.

8. Since at least April 1999, Defendant A&S has engaged in unlawful employment practices 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, retaliating against Zachman by terminating her employment after she complained of the sexual harassment.

9. The effect of the practices complained of in paragraphs seven (7) and eight (8) above has been to deprive Zachman of equal employment opportunities and otherwise adversely affect her status as an employee because of her sex.

10. The unlawful employment practices complained of in paragraphs seven (7) and eight (8) above were and are intentional.

11. The unlawful employment practices complained of in paragraphs seven (7) and eight (8) above were and are done with malice or with reckless indifference to the federally protected rights of Zachman.

PRAAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

- A. Grant a permanent injunction enjoining Defendants, their officers, successors, assigns, and all persons in active concert or participation with them, from engaging in any employment practice which discriminates on the basis of sex;
- B. Order Defendants to institute and carry out policies, practices, and programs which provide equal employment opportunities for women, and which eradicate the effects of their past and present unlawful employment practices;
- C. Order Defendants to make whole Zachman by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described above;
- D. Order Defendants to make whole Zachman by providing compensation for past and future non-pecuniary losses, including emotional pain, suffering, inconvenience, loss of enjoyment of life and humiliation;
- E. Order Defendants to pay Zachman punitive damages for its malicious and/or reckless conduct described, in amounts to be determined at trial;
- F. Order Defendants and their successors to provide training to their 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.

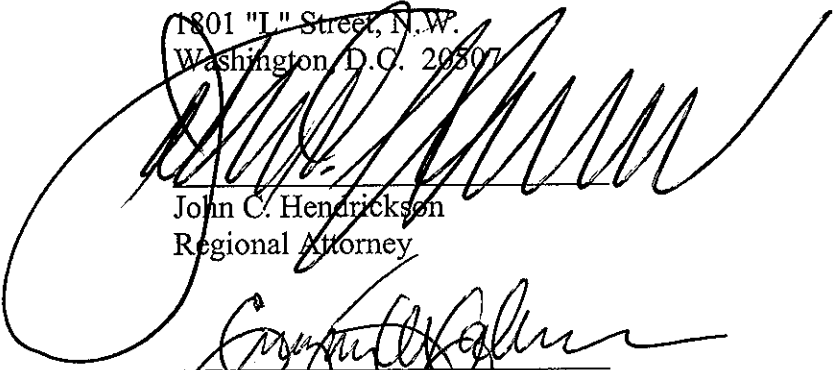
Respectfully submitted,

C. GREGORY STEWART
General Counsel

GWENDOLYN YOUNG REAMS
Associate General Counsel

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

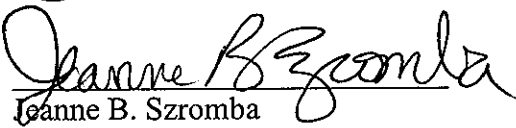
1801 "I" Street, N.W.
Washington, D.C. 20507



John C. Hendrickson
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Supervisory Trial Attorney



Jeanne B. Szromba
Trial Attorney



Diane I. Smason
Trial Attorney

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION

500 West Madison Street, Suite 2800
Chicago, Illinois 60661
(312) 353-7546

Case

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

DOCKETED
JUN 13 2001

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): INTERNATIONAL PROFIT
ASSOCIATES, INC. & ARNOLD & SONS
PLUMBING, INC.**

County of Residence:

County of Residence:

Plaintiff's Atty: Jeanne Szromba
Equal Employment Opportunity
Commission
500 West Madison, Suite 2800
Chicago, IL 60661
312-353-7546

Defendant's Atty: Stephen M. Morris, Esq.
Hinshaw & Culbertson
456 Fulton Street, Suite 298
Peoria, IL 61602
Attorney for Arnold & Sons
Plumbing, Inc.

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

01C 442 8

III. Citizenship of Principle
Parties (Diversity Cases Only)

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

JUDGE CASTILLO

MAGISTRATE JUDGE LEVIN

FILED-ED4
ON JUN 12 PM 12:20
DISTRICT COURT

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 § 2000 et seq., and Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981 a. (Related Case EEOC v. International Profit Associates, Inc.)

VII. Requested in Complaint

Class Action:
Dollar Demand:
Jury Demand: Yes

VIII. This case Is NOT a refiling of a previously dismissed case. (If yes case number __ by Judge __)

Signature: *Jeanne B Szromba*
Date: *6/12/01*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Eastern Division

DOCKETED
JUN 13 2001

In the Matter of

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION v.

01C 4428
Case Number:

ARNOLD & SONS PLUMBING, INC. &
INTERNATIONAL PROFIT ASSOCIATES, INC.

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JUDGE CASTILLO

MAGISTRATE JUDGE LEVIN

(A)		(B)	
SIGNATURE <i>Jeanne B. Szromba</i>	SIGNATURE <i>Diane I. Smason</i>	SIGNATURE <i>Gregory M. Gochanour</i>	SIGNATURE <i>John C. Hendrickson</i>
NAME Jeanne B. Szromba	NAME Diane I. Smason	NAME Gregory M. Gochanour	NAME John C. Hendrickson
FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission
STREET ADDRESS 500 West Madison, Suite 2800	STREET ADDRESS 500 West Madison, Suite 2800	STREET ADDRESS 500 West Madison, Suite 2800	STREET ADDRESS 500 West Madison, Suite 2800
CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP Chicago, IL 60661	CITY/STATE/ZIP Chicago, IL 60661
TELEPHONE NUMBER (312) 353-7546	TELEPHONE NUMBER (312) 353-7526	TELEPHONE NUMBER (312) 886-9124	TELEPHONE NUMBER (312) 353-8551
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06207846	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06226130	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06210804	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 01187589
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	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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