

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

JUDGE ANDERSEN

PHYLLIS LOPEZ,

Plaintiff,

vs.

INTERNATIONAL PROFIT ASSOCIATES, INC.

Defendant.

MAGISTRATE JUDGE  
GERALDINE SOAT BROWN

Civil Action No.

**02C 4281**

Trial By Jury Demanded

COMPLAINT

Plaintiff, PHYLLIS LOPEZ, states as follows:

**Jurisdiction and Venue**

1. This is an action for relief to redress the deprivation of Plaintiff's rights secured by Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.*
2. This Court has jurisdiction of this action under 28 U.S.C. § 2000e-5(f)(3).
3. Venue is proper pursuant to 28 U.S.C. § 1391(a).

**Parties**

4. Plaintiff, PHYLLIS LOPEZ is a female citizen of the United States and Illinois. At all times relevant herein, Plaintiff has resided in the district of this Court. Plaintiff was an employee of the Defendant INTERNATIONAL PROFIT ASSOCIATES, INC. ("IPA") from on or about August 16, 2001 until on or about September 25, 2001, when she was constructively discharged.

5. Defendant IPA is an Illinois business entity. Defendant is and was at all relevant times herein, an "employer" within the meaning of Title VII, 42 U.S.C. § 2000e(b).

DOCKETED  
JUN 17 2002

FILED-ED4  
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U.S. DISTRICT COURT  
02 JUN 17 AM 8:40

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### **Administrative Procedure**

6. On or about March 11, 2002, and within 300 days of the last act of discrimination, Plaintiff filed a charge of discrimination with the United States Equal Employment Opportunity Commission ("EEOC"), a copy of which is attached as Exhibit "A" to this Complaint.

7. On or about March 28, 2002, a "Notice of Right to Sue" was issued from the District Office of the EEOC for the charge of discrimination (a copy of which is attached to this Complaint as Exhibit "B"), entitling Plaintiff to institute a civil action in the appropriate Federal District Court within 90 days of the date of receipt of the notice. The notice was received by Plaintiff on April 1, 2002.

8. Plaintiff's last position with IPA was as a file clerk/secretary.

9. At all relevant times, plaintiff performed her employment duties in a satisfactory manner.

10. Shortly after she began working at IPA, and continuing throughout her employment with IPA, plaintiff was sexually harassed and sexually discriminated against by management, supervisors and employees of IPA. This unlawful discrimination and harassment included, but was not limited to the following:

- a. Being approached by John Greco, Gordon Gurney and Joe Woods, supervisors at IPA, and being told by them that she must have sex with Dan Druggan, the Director of Sales for IPA. She was told that she was doing well at IPA, and that if she wanted to continue to do well, she would do what she was told. Further, money was offered to her if she had sex with Dan Druggan, and a job promotion was promised. Plaintiff was also told that if she did not "give in" her job would be on the line. Also, when the men approached her, they would say disgusting things of a sexual nature, such as "go suck Druggan's dick.";
- b. After the men listed above approached plaintiff and made their demands, and the demands were refused as they always were, they would then yell at plaintiff and swear at her for not giving in to the demands by saying such

things as “what the fuck is wrong with you...?;

- c. Mr. Woods grabbing plaintiff after making the demands listed in sub-section a;
- d. Dan Druggan, Director of Sales for IPA, directly approaching her and demanding sex; and
- e. Being approached by a co-worker at the request of management and/or supervisors of IPA, and being asked if she would take money in exchange for not telling anyone about the events listed in sub-sections a-d.

11. The acts alleged above were directed to plaintiff because she is female, and the acts created a hostile work environment.

12. As a result of the hostile work environment, it was impossible for plaintiff to continue to work at IPA, and she left IPA, being constructively discharged on or about September 25, 2001.

13. IPA supervisory and management level personnel had knowledge of each and every act alleged above, and did nothing to remedy the situation and as a result, the acts of sexual harassment and sexual discrimination continued throughout plaintiffs employment with IPA. Due to defendant’s discriminatory behavior, plaintiff has suffered monetary damage and emotional pain and suffering.

WHEREFORE, Plaintiff, PHYLLIS LOPEZ, prays that this court enter judgement in her favor and against Defendant, INTERNATIONAL PROFIT ASSOCIATES, INC. as follows:

- a. That a finding be entered that Defendant violated Title VII by sexually discriminating against Plaintiff;
- b. That Plaintiff be awarded the maximum monetary damages available;
- c. That Plaintiff be awarded all wages, benefits and other compensation due to her being constructively discharged by IPA;
- d. That Plaintiff be awarded punitive damages;
- e. That Plaintiff be awarded reasonable attorney’s fees and costs; and
- f. That Plaintiff be awarded such other relief as this court deems proper.

Respectfully submitted,

PHYLLIS LOPEZ

By: 

By one of her attorneys

ROSS J. PETERS

The Law Offices of Ross J. Peters & Associates, Ltd.

33 North County Street - Suite 402

Waukegan, Illinois 60085

Telephone: (847) 625-1854

Facsimile: (847) 625-0282

Attorney Number: 03126326



APR 01 2002

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**NOTICE OF RIGHT TO SUE**  
 (Issued on request)

**To:** Phyllis Lopez  
 c/o Ross J. Peters, Esq.  
 33 North County Street, Suite 402  
 Waukegan, IL 60085

Certified No.: 7099 3400 0006 7301 6124

On behalf of a person aggrieved whose identity is confidential (29 C.F.R. 1601.7(a))

**From:** Equal Employment Opportunity Commission  
 500 West Madison Street  
 Suite 2800  
 Chicago, Illinois 60661

**Charge Number**  
 210A202117

**EEOC Representative**  
 Andrew Daley, Investigator

**Telephone Number**  
 (312) 886-7495

(See the additional information attached to this form.)

**TO THE PERSON AGGRIEVED:** This is your NOTICE OF RIGHT TO SUE. It is issued at your request. If you intend to sue the respondent(s) named in you charge, **YOU MUST DO SO WITHIN NINETY (90) DAYS OF YOUR RECEIPT OF THIS NOTICE: OTHERWISE YOUR RIGHT TO SUE IS LOST.**

- More than 180 days have expired since the filing of this charge.
- Less than 180 days have expired since the filing of this charge, but I have determined that the commission will be unable to complete its process within 180 days from the filing of the charge.
- With the issuance of this **NOTICE OF RIGHT TO SUE**, the Commission is terminating its process with respect to this charge.
- It has been determined that the Commission will continue to investigate your charge.
- ADEA:** While Title VII and the ADA require EEOC to issue this notice of right to sue before you can bring a lawsuit you may sue under the Age Discrimination in Employment Act (ADEA) any time 60 days after your charge was filed until **90 days after you received notice that EEOC has completed action on your charge.**
- Because EEOC is closing your case**, your lawsuit under the ADEA must be brought within 90 days of your receipt of this notice. Otherwise, your right to sue is lost.
- EEOC is continuing its investigation.** You will be notified when we have completed action and, if our notice will include notice of right to sue under the ADEA.
- EPA:** While Title VII and the ADA require EEOC to issue this Notice of Right to Sue before you can bring a lawsuit you already have the right to sue under the Equal Pay Act (EPA). (You are not required to complain to any enforcement agency before bringing and EPA suit in court). EPA suits must be brought within 2 years (3 years for willful violations) of the alleged EPA underpayment.

On Behalf of the Commission

March 28, 2002  
 Date

John P. Rowe  
 John P. Rowe, District Director

Enclosures  
 Information Sheet  
 Copy of Charge

Exhibit "B"

cc: Respondent(s) International Profit Associates

JS 44  
(Rev. 12/96)

*Cy 2* **CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

PHYLLIS LOPEZ

JUDGE ANDERSEN

**02C 4281**

**DEFENDANTS**

INTERNATIONAL PROFIT ASSOCIATES, INC

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF COOK  
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

MAGISTRATE JUDGE  
GERALDINE SOAT BROWN

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Ross Peters  
The Law Offices of Ross J. Peters & Assoc.  
33 North County St. - Suite 402  
Waukegan, Il. 60085 / 847-625-1854

ATTORNEYS (IF KNOWN)

U.S. DISTRICT COURT  
02 JUN 17 11 AM 8:40  
FILED-EDA  
JUN 17 2002

**II. BASIS OF JURISDICTION** (PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- |                                         |                            |                            |                                                               |                            |                            |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
|                                         | PTF                        | DEF                        |                                                               | PTF                        | DEF                        |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN**

(PLACE AN "X" IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify) \_\_\_\_\_
- 6 Multidistrict Litigation
- 7 Appeal to District Judge from Magistrate Judgment

**V. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice Act <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	SOCIAL SECURITY
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motion to Vacate Sentence <input type="checkbox"/> Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

**VI. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

42 U.S.C. § 2000e et seq. (Title VII sexual discrimination)

**VII. REQUESTED IN COMPLAINT**

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ \_\_\_\_\_

CHECK YES only if demanded in complaint

JURY DEMAND:  YES  NO

VIII. This case  is not a refiling of a previously dismissed action.

is a refiling of case number \_\_\_\_\_, previously dismissed by Judge \_\_\_\_\_

DATE

6/17/02

SIGNATURE OF ATTORNEY OF RECORD

*[Handwritten signatures]*

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

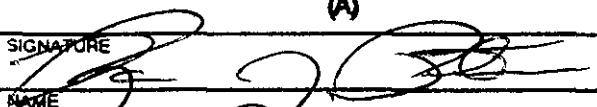
JUDGE ANDERSEN

In the Matter of  
PHYLLIS LOPEZ, PLAINTIFF  
vs.  
INTERNATIONAL PROFIT ASSOCIATES, INC.

MAGISTRATE JUDGE  
GERALDINE SOAT BROWN

Case Number **02C 4281**  
**DOCKETED**  
JUN 17 2002

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

(A)	(B)
SIGNATURE 	SIGNATURE
NAME ROSS J. PETERS	NAME
FIRM The Law Offices of Ross J. Peters & Associates, Ltd.	FIRM
STREET ADDRESS 33 North County Street-Ste. 402	STREET ADDRESS
CITY/STATE/ZIP Waukegan, Il. 60085	CITY/STATE/ZIP
TELEPHONE NUMBER 847-625-1854	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 03126326	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>
(C)	(D)
SIGNATURE	SIGNATURE
NAME	NAME
FIRM	FIRM
STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP
TELEPHONE NUMBER	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input 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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