

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

DOCKETED

DEC 01 2004

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

PJR ENTERPRISES, INC. d/b/a NOV 29 2004
JIFFY LUBE,

Defendant.

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

JUDGE CONLON

CIVIL ACTION NO.

040 7736

COMPLAINT MAGISTRATE JUDGE
GERALDINE SOAT BROWN

JURY TRIAL DEMAND

NATURE OF THE ACTION

The United States Equal Employment Opportunity Commission (the "Commission") brings this action against PJR Enterprises, Inc. d/b/a Jiffy Lube ("Jiffy Lube") pursuant to Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 in order to correct Jiffy Lube's unlawful employment practices on the basis of sex, and to provide appropriate relief to Virginia C. Petrov ("Petrov") and a class of similarly situated female employees (the "class") who were adversely affected by such practices. As alleged in paragraph seven below, the Commission alleges that Jiffy Lube subjected Petrov and the class to sexual harassment.

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) ("Title VII") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

1-1

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Northern District of Illinois, Eastern Division.

PARTIES

3. Plaintiff, the 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. Defendant, PJR Enterprises, Inc. d/b/a Jiffy Lube ("Jiffy Lube"), is currently a corporation and at all relevant times has continuously been a corporation doing business in the State of Illinois and has continuously had at least 15 employees.

5. At all relevant times, Jiffy Lube has 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, Petrov filed a charge with the Commission alleging a violation of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least January 2003, Defendant engaged in an unlawful employment practice by subjecting Petrov and the class to sexual harassment at its facility in Lincolnwood, Illinois, in violation of Section 703(a)(1) of Title VII, 42 U.S.C. § 2000e-2(a)(1).

8. The effect of the practice complained of in paragraph seven above has been to deprive Petrov and the class of equal employment opportunities and to otherwise adversely affect their employee status.

9. The unlawful employment practice complained of in paragraph seven above was intentional.

10. The unlawful employment practice complained of in paragraph seven above was done with malice or with reckless indifference to Petrov and the class's federally protected rights.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Jiffy Lube, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in sexual harassment.

B. Order Jiffy Lube to institute and carry out policies, practices, and programs which provide equal employment opportunities for females and which eradicate the effects of its past and present unlawful employment practice based on sex.

C. Order Jiffy Lube to make whole Petrov and the class by providing appropriate back-pay with prejudgment interest in amounts to be determined at trial and other affirmative relief necessary to eradicate the effects of its unlawful employment practices.

D. Order Jiffy Lube to make whole Petrov and the class by providing compensation for past and future pecuniary losses resulting from the unlawful employment practice described in paragraph seven above in amounts to be determined at trial.

E. Order Jiffy Lube to make whole Petrov and the class by providing compensation for past and future non-pecuniary losses resulting from the unlawful practice complained of in paragraph seven above, including losses resulting from any emotional pain, suffering, inconvenience, loss of enjoyment of life, embarrassment and humiliation, in amounts to be determined at trial.

F. Order Jiffy Lube to pay Petrov and the class punitive damages for its malicious and reckless conduct described in paragraph seven above, in amounts to be determined at trial.

G. Grant such further relief as the Court deems necessary and proper in the public interest.

H. Award the Commission its costs of this action.

JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its Complaint.

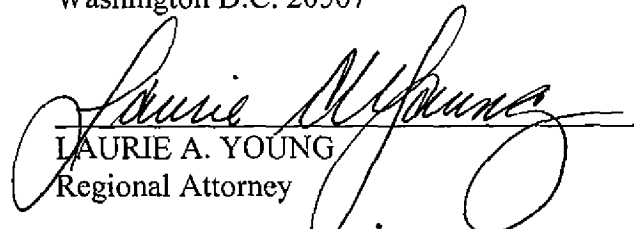
Respectfully submitted,

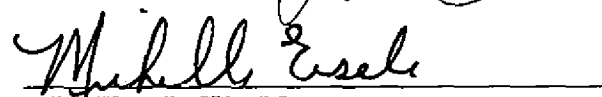
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JAMES L. LEE
Deputy General Counsel

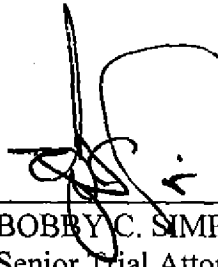
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

DOCKETED

DEC 01 2004

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): **PJR Enterprises, Inc. d/b/a Jiffy Lube**

County of Residence:

County of Residence: Cook County

Plaintiff's Atty:

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(502) 582-6308

Defendant's Atty:

Brad J. Pawlowski
Fritzshall Law Firm
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Chicago, IL 60631
(773) 763-2805

II. Basis of Jurisdiction:

1. U.S. Gov't Plaintiff

JUDGE CONLON

III. Citizenship of Principal Parties (Diversity Cases Only)

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

04C 7736

MAGISTRATE JUDGE
GERALDINE SOAT BROWN

IV. Origin :

1. Original Proceeding

V. Nature of Suit:

442 Employment

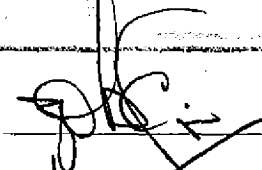
VI. Cause of Action:

Title VII of the Civil Rights Act of 1964 and Title I of the Civil Rights Act of 1991 to correct unlawful employment practices.

VII. Requested in Complaint

Class Action: No
Dollar Demand:
Jury Demand: Yes

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

Signature: 

Date: November 23, 2004 11/29/4

FILED
NOV 29 2004
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

1-2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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In the Matter of

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Plaintiff,

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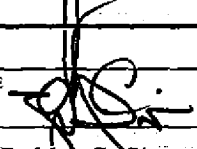
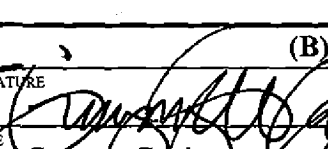
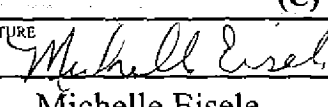
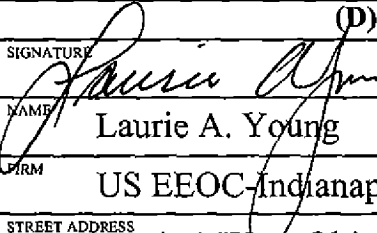
PJR Enterprises, Inc. d/b/a Jiffy Lube

Case Number:

04C 7736

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:
the U.S. Equal Employment Opportunity Commission, Plaintiff

MAGISTRATE JUDGE
GERALDINE SOAT BROWN

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MEMBER OF TRIAL BAR? YES ☐ NO ☒		MEMBER OF TRIAL BAR? YES ☒ NO ☐	
TRIAL ATTORNEY? YES ☒ NO ☐		TRIAL ATTORNEY? YES ☐ NO ☒	
		DESIGNATED AS LOCAL COUNSEL? YES ☒ NO ☐	
(C)		(D)	
SIGNATURE 		SIGNATURE 	
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IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
MEMBER OF TRIAL BAR? YES ☐ NO ☒		MEMBER OF TRIAL BAR? YES ☐ NO ☒	
TRIAL ATTORNEY? YES ☒ NO ☐		TRIAL ATTORNEY? YES ☒ NO ☐	
DESIGNATED AS LOCAL COUNSEL? YES ☐ NO ☒		DESIGNATED AS LOCAL COUNSEL? YES ☐ NO ☒	