

U.S. DISTRICT COURT  
CLERK

DEC 23 AM 10:01

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

FILED-EDS

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )

Plaintiff, )

v. )

**DOCKETED**  
**DEC 24 2002**

AMERICAN EAGLE AIRLINES, INC., )

Defendant. )

**02C 9315**  
Civ. Action No.

COMPLAINT

JURY TRIAL DEMAND

JUDGE AMY ST. EVE

NATURE OF THE ACTION

MAGISTRATE JUDGE MASON

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 to correct unlawful employment practices on the basis of race and to provide appropriate relief to Calvin Lewis, and a class of African-American ramp supervisors who were adversely affected by such practices. Plaintiff, Equal Employment Opportunity Commission ("EEOC"), alleges that American Eagle Airlines, Inc. ("Defendant") violated Title VII by paying African-American ramp supervisors at O'Hare Airport less than non-African-American ramp supervisors.

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 Sections 706(f)(1) and (3) and 707(a) of Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3) and § 2000e-6(a); and § 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981A.

| - |

2. The employment practices hereafter 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 an 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. Section 2000e-5(f)(1) and (3).

4. At all times relevant, Defendant, has continuously been a corporation doing business in the Northern District of Illinois and has continuously had at least fifteen employees.

5. At all times relevant, Defendant, has continuously been and is now 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. Sections 2000e(b), (g) and (h).

### **STATEMENT OF CLAIMS**

6. More than 30 days prior to the institution of this lawsuit, Calvin Lewis filed a charge of discrimination with the EEOC, alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. From February 1, 2000 through the present Defendant engaged in unlawful employment practices, in violation of Sections 703(a) and 707(a) of Title VII, 42 U.S.C. Sections 2000e- 2(a) and 2000e- 6(a) by paying African-American ramp supervisors at

O'Hare Airport less pay than non-African-American ramp supervisors.

8. The effect of the practices complained of above has been to deprive Calvin Lewis and other ramp supervisors at O'Hare Airport of equal employment opportunities because of their race, African-American.

9. The unlawful employment practices complained of in paragraph 7 above were intentional.

10. The unlawful employment practices complained of in paragraph 7 above were in reckless disregard of the rights of employees under Title VII of the Civil Rights Act of 1964.

#### **PRAYER FOR RELIEF**

WHEREFORE, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, successors, assigns, and all persons in active concert or participation with Defendant, from engaging in any employment practice which discriminates because of race against ramp supervisors.

B. Order Defendant to institute and carry out policies, practices and programs which eradicate the effects of its past and present unlawful practices.

C. Order Defendant to make whole Calvin Lewis and a class of African American ramp supervisors at O'Hare Airport by providing appropriate compensation for pay discrimination with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including but not limited to raising the pay levels of members of the class.

C. Order Defendant to pay compensatory and punitive damages to Calvin Lewis and a class of African American ramp supervisors at O'Hare Airport;

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

E. Award the Commission its costs in this action.

**JURY TRIAL DEMAND**

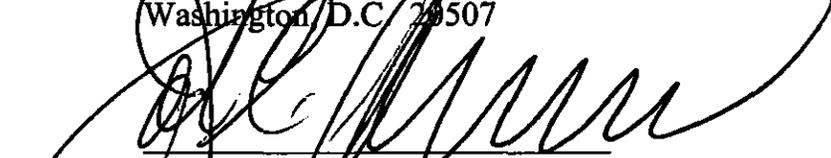
The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,  
NICHOLAS M. INZEO  
Acting Deputy General Counsel

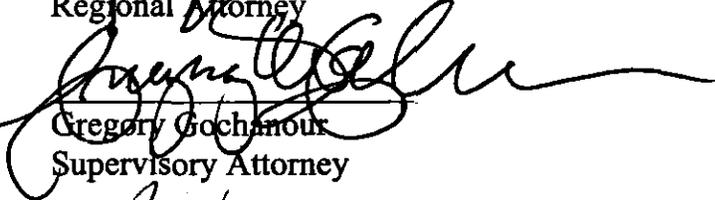
GWENDOLYN YOUNG REAMS  
Associate General Counsel

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

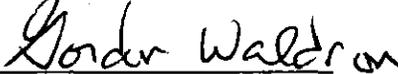
1801 "L" Street, N.W.  
Washington, D.C. 20507



John C. Hendrickson  
Regional Attorney



Gregory Gochanour  
Supervisory Attorney



Gordon Waldron  
Senior Trial Attorney

EQUAL EMPLOYMENT OPPORTUNITY  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

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): U.S. Equal Employment Opportunity Commission

**DOCKETED**  
DEC 24 2002

Defendant(s): American Eagle Airlines, Inc.

County of Residence:

County of Residence: Cook

Plaintiff's Atty: Gordon G. Waldron  
U.S. Equal Employment Opportunity Commission  
500 W. Madison Street, Suite 2800, Chicago, Illinois 60661  
(312) 353-7525

Defendant's Atty:

**02C 9315**

JUDGE AMY ST. EVE

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

MAGISTRATE JUDGE MASON

III. Citizenship of Principal Parties (Diversity Cases Only)

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

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. ("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 race.

VII. Requested in Complaint  
Class Action:  
Dollar Demand:  
Jury Demand: Yes

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

FILED-ED5  
02 DEC 23 AM 10:09  
CLERK  
U.S. DISTRICT COURT

Signature: Gordon Waldron 12/23/02

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

Eastern Division

In the Matter of

U.S. Equal Employment Opportunity Commission,  
Plaintiff,  
v.  
American Eagle Airlines, Inc.,  
Defendant.

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DEC 24 2002

**02C 9315**

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR **JUDGE AMY ST. EVE**

U.S. Equal Employment Opportunity Commission, Plaintiff

**MAGISTRATE JUDGE MASON**

(A)		(B)	
SIGNATURE <i>Gordon G. Waldron</i>	SIGNATURE <i>Gregory M. Gochanour</i>	SIGNATURE	SIGNATURE
NAME Gordon G. Waldron	NAME Gregory M. Gochanour	NAME	NAME
FIRM Equal Employment Opportunity Commission	FIRM Equal Employment Opportunity Commission	FIRM	FIRM
STREET ADDRESS 500 W. Madison St., Suite 2800	STREET ADDRESS 500 W. Madison St., Suite 2800	STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP Chicago, Illinois 60661	CITY/STATE/ZIP Chicago, Illinois 60661	CITY/STATE/ZIP	CITY/STATE/ZIP
TELEPHONE NUMBER (312) 353-7525	TELEPHONE NUMBER (312) 886-9124	TELEPHONE NUMBER	TELEPHONE NUMBER
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	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>		
(C)		(D)	
SIGNATURE <i>John C. Hendrickson</i>	SIGNATURE	SIGNATURE	SIGNATURE
NAME John C. Hendrickson	NAME	NAME	NAME
FIRM Equal Employment Opportunity Commission	FIRM	FIRM	FIRM
STREET ADDRESS 500 W. Madison St., Suite 2800	STREET ADDRESS	STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP Chicago, Illinois 60661	CITY/STATE/ZIP	CITY/STATE/ZIP	CITY/STATE/ZIP
TELEPHONE NUMBER (312) 353-8551	TELEPHONE NUMBER	TELEPHONE NUMBER	TELEPHONE NUMBER
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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"/>	DESIGNATED AS LOCAL COUNSEL?	DESIGNATED AS LOCAL COUNSEL?

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