

FILED

JAN 17 2002

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

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

**EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**

Plaintiff,

and

MARION G. TOWNSON,

Plaintiff-Intervenor,

v.

**INTERNATIONAL PROFIT
ASSOCIATES, INC.,**

Defendant.

CIVIL ACTION NO 01 C 4427

Judge Joan B. Gottschall

Magistrate Judge Morton Denlow

**DOCKETED
JAN 18 2002**

COMPLAINT

Now comes Plaintiff-Intervenor Marion G. Townson ("Townson"), by and through her attorney Edward J. Moran, and for her Complaint against Defendant International Profit Associates, Inc. ("IPA"), states as follows:

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Section 1331 and 28 U.S.C. Section 1343 as presenting questions of original federal jurisdiction under the provision of Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000e *et seq*, and Title I of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a.

2. Venue of this Court for this action is invoked pursuant to 28 U.S.C. Section 1391 in that a substantial part of the events or commissions giving rise to this action and the unlawful practices alleged herein occurred in the Northern District of Illinois.

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3. Plaintiff Equal Employment Opportunity Commission (hereinafter "EEOC") is the agency of the United States of America charged with the administration, interpretation, and enforcement of Title VII of the Civil Rights Act of 1964, as amended, 1991, and is expressly authorized to bring this action pursuant to Section 706(f)(1) and (3) of that statute.

4. On June 12, 2001, the EEOC filed this action against Defendant IPA. The Complaint filed by the EEOC alleges defendant violated Title VII of the Civil Rights Act of 1991, 42 U.S.C. Section 1981a. The EEOC filed this action on behalf of Townson and a class of female employees to correct defendant IPA's unlawful employment practices against female employees, and to provide appropriate equitable, injunctive and other relief to those female employees adversely affected by such unlawful employment practices.

5. Plaintiff-Intervenor Townson is a female citizen, who at all times relevant herein, has resides in the Northern District of Illinois, and was employed by defendant IPA from approximately April 8, 1996 until March 3, 1998.

6. On July 18, 2001, Townson filed her Motion to Intervene in this action, which was granted. Townson moved for intervention because her interests in this action are distinct and different from those of the EEOC in that she suffered severe emotional and financial harm as a result of defendant IPA's unlawful employment practices and the EEOC did not, in that the EEOC cannot enter into a confidential settlement agreement with defendant IPA, and in that Townson seeks legal relief while the EEOC seeks equitable and injunctive relief.

8. At all times relevant herein and presently, defendant IPA is an Illinois corporation doing business in the Northern District of Illinois. Defendant IPA is engaged in the consulting business.

9. Defendant IPA, through its owner and CEO John Burgess, discriminated against Townson on the basis of her sex through a pattern and practice of sexual and sex-based harassment. The harassment included, but is not limited to, subjecting her to sexual and sex-based harassment; conditioning the terms of her employment on responses to requests for sex; failing to take prompt remedial action intended to eliminate the harassment after defendant IPA became aware of the illegal behavior; and constructively discharging her.

10. On March 3, 1998, after refusing to go out on a date with John Burgess, Townson's compensation was changed. Townson was taken off salary and placed on straight commission. Townson no longer had a guaranteed source of income.

11. The effect of the practices complained of in Paragraph 9 and Paragraph 10 has been to deprive Townson of equal employment opportunities and otherwise affect her status as an employee because of her sex.

12. The unlawful employment practices complained of in Paragraphs 9 and Paragraph 10 were intentional.

13. The unlawful employment practices complained of in Paragraph 9 and Paragraph 10 were done with malice or with reckless indifference to the federally protected rights of Townson.

WHEREFORE, the Townson prays for the following relief:

- A. Lost Wages;
- A. Compensatory Damages;
- B. Punitive Damages;
- C. Attorneys Fees; and

D. Costs of litigation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. G. Townson', written over a horizontal line.

Attorney for Plaintiff
Marion G. Townson

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