

**DOCKETED**

**SEP 23 2004**

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

**EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,**

**Plaintiff,**

**v.**

**COMPASS INTERNATIONAL, INC.**

**Defendant.**

**040 6107**

**Civil Action No.**

**JUDGE RONALD GUZMAN**

**COMPLAINT**

**MAGISTRATE JUDGE KEYS**

**JURY TRIAL DEMANDED**

**ED-7  
FILED FOR DOCKETING  
04 SEP 22 PM 1:00  
CLERK  
U.S. DISTRICT COURT**

**NATURE OF THE ACTION**

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 national origin and to provide appropriate relief to Richard Torres ("Torres") and a class of employees who were adversely affected by the unlawful practices. Plaintiff, Equal Employment Opportunity Commission ("EEOC"), alleges that Defendant Compass International, Inc. ("Compass") denied Torres and a class of employees an environment free of national origin and race discrimination and subjected them to a hostile work environment.

**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, 42 U.S.C. § 2000e-5(f)(1) and (3), and § 102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981A.

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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, Compass International, Inc., a California corporation, has continuously been doing business in the Northern District of Illinois and has continuously had at least fifteen employees.

5. At all times relevant, Compass International, Inc., has continuously 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. Sections 2000e(b), (g) and (h).

### **STATEMENT OF CLAIMS**

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

7. Since at least 1989, Defendant has engaged in unlawful employment practices, in violation of Sections 703(a) of Title VII, 42 U.S.C. Sections 2000e(j) and 2(a). Such unlawful employment practices have included, but are not limited to, denying Torres and a class of employees an environment free of national origin and race discrimination and subjecting them to a hostile work environment.

8. The effect of the practices complained of above has been to deprive Torres and a class of others adversely affected by the hostile work environment of equal employment opportunities and otherwise adversely affect their status as employees.

9. The unlawful employment practices complained of in paragraphs 7 and 8 above were and are intentional.

10. The unlawful employment practices complained of in paragraphs 7 and 8 above were and are done with malice or with reckless indifference to the federally protected rights of Torres and a class of employees.

#### **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 it, from engaging in any employment practice which denies employees an environment free of national origin and race discrimination and subjects them to a hostile work environment.

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 Torres and the affected 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 Defendant to make whole Torres and the affected class by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 7 and 8 above, including medical expenses, in amounts to be determined at trial.

E. Order Defendant to make whole Torres and the affected class by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraphs 7 and 8 above, including emotional pain, inconvenience, and humiliation, in amounts to be determined at trial.

F. Order Defendant to pay Torres and the affected class punitive damages for its malicious and reckless conduct described in paragraphs 7 and 8 above, in amounts to be determined at trial.

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.

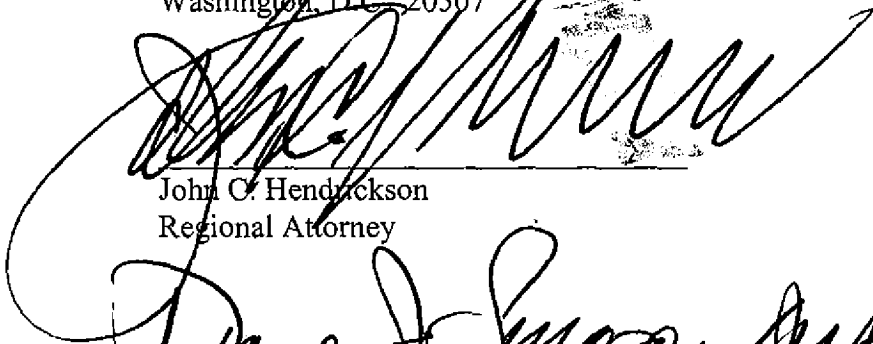
Respectfully submitted,

Eric S. Dreiband  
General Counsel

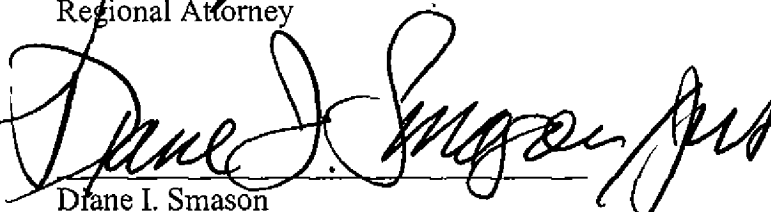
James Lee  
Deputy General Counsel

Gwendolyn Young Reams  
Associate General Counsel


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*Out 1*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

DOCKETED

SEP 23 2004

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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.

JUDGE RONALD GUZMAN

**Plaintiff(s): U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION**

**Defendant(s): COMPASS INTERNATIONAL,  
INC.**

County of Residence:

County of Residence: Cook County

Plaintiff's Atty: Pamela S. Moore-Gibbs  
Equal Employment Opportunity  
Commission  
500 W. Madison St., Suite 2800  
Chicago, Illinois 60661  
(312) 886-9120

Defendant's Atty:

MAGISTRATE JUDGE KEYS

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

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. §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 national origin.

VII. Requested in Complaint

Class Action:  
Dollar Demand:  
Jury Demand: Yes

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

U.S. DISTRICT COURT  
CLERK  
04 SEP 22 PM 1:38  
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ED-7

Signature: *Pamela Moore-Gibbs*

Date: 9/22/2004

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

EASTERN DIVISION

In the Matter of

U.S. Equal Employment Opportunity Commission,  
v. Plaintiff,  
Compass International, Inc.,  
Defendant.

Case Number:  
**JUDGE RONALD GUZMAN**

**040 6167**

**DOCKETED**

**SEP 23 2004**

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

U.S. Equal Employment Opportunity Commission, Plaintiff

MAGISTRATE JUDGE KEYS

(A)		(B)	
SIGNATURE <i>Pamela S. Moore-Gibbs</i>		SIGNATURE <i>Diane I. Smason</i>	
NAME Pamela S. Moore-Gibbs		NAME Diane I. Smason	
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E-MAIL ADDRESS		E-MAIL ADDRESS	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06197710		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06226130	
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TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
DESIGNATED AS LOCAL COUNSEL?		DESIGNATED AS LOCAL COUNSEL?	
SIGNATURE <i>John C. Hendrickson</i>		SIGNATURE	
NAME John C. Hendrickson		NAME	
FIRM Equal Employment Opportunity Commission		FIRM	
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E-MAIL ADDRESS		E-MAIL ADDRESS	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 01187589		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
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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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