

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

ANDERSON HAWKINS,  
LAWRENCE WOODFORK, on behalf  
of themselves and all others similarly  
situated,

Plaintiffs,

v.

GROOT INDUSTRIES, INC. and  
GROOT RECYCLING AND WASTE  
SERVICES, INC.,  
Defendants.

**DOCKETED**

MAR 13 2001

FILED-EDS

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U.S. DISTRICT COURT

JURY DEMANDED

CASE # **01C 1731**

Judge: **JUDGE MORAN**

Magistrate:

**MAGISTRATE JUDGE ASHMAN**

**CLASS ACTION COMPLAINT**

Plaintiffs, on behalf of themselves and all others similarly situated, by their undersigned attorney, for their complaint of discrimination against Defendants, state as follows:

**PARTIES**

1. Plaintiff, ANDERSON HAWKINS ("HAWKINS"), is African American and a resident of the state of Illinois.

2. Plaintiff, HAWKINS, became employed by Defendants on July 5, 1994 as a driver.

3. Plaintiff, LAWRENCE WOODFORK ("WOODFORK"), is African American and a resident of the state of Illinois.

4. Plaintiff, WOODFORK, became employed by Defendants on September 2, 1998.

5. Defendant, GROOT INDUSTRIES, INC. ("GROOT"), is qualified to do business in the state of Illinois and conducts business in Illinois.

6. Defendant, GROOT RECYCLING AND WASTE SERVICES, INC. ("GROOT RECYCLING"), is qualified to do business in the state of Illinois and conducts business in Illinois.

#### **NATURE OF CASE**

7. The cause of action for Plaintiffs and all other persons similarly situated arises under Title VII of the Civil Rights Act, 42 U.S.C. Section 2000e, as amended and 42 U.S.C. Section 1981, as amended.

8. Plaintiffs allege a pattern and practice of racial harassment and national origin harassment against African Americans and persons of Hispanic origin.

9. Plaintiffs allege a pattern and practice of race discrimination against African

Americans and persons of Hispanic origin in connection with work assignments, compensation, transfers, promotions and discipline.

10. Plaintiffs bring this case on behalf of themselves and all others similarly situated, pursuant to Rules 23(b)(2) and (b)(3) of the Federal Rules of Civil Procedure. The class consists of all African American persons who have been employed by Defendants in their Chicago area facilities on or after July 5, 1994 and who are subject to Defendants' employment and human resources policies and practices, including but not limited to current or former employees, and who have been, continue to be, or may in the future be, adversely affected by Defendants' racially discriminatory policies and practices ("the class"). This case meets all the requirements of Rule 23: (a) the class is so numerous that joinder is impracticable; (b) the issues of law and fact applicable to the plaintiffs present questions of law and fact common to the class; (c) the claims of the plaintiffs are typical of the claims of the class; and (d) the plaintiffs will adequately and vigorously represent the interests of the class. The Defendants have acted and refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief with respect to the class as a whole. This class also meets the requirements of (b)(2) and (b)(3). Plaintiffs reserve the right to amend the definition of the class following discovery.

11. Defendants employ a system of decision-making in connection promotions, work assignments, compensation, and transfers which has a disparate impact on African-

Americans and is not job-related.

12. Each Plaintiff further alleges that he was terminated as a result of his race and in retaliation for opposing discrimination or for associating with those who opposed discrimination.

### **JURISDICTION AND VENUE**

13. This Court has jurisdiction over this matter based upon 42 U.S.C. 2000e, as amended, and 42 U.S.C. Section 1981, 28 U.S.C. 1343(4), 28 U.S.C. 1331.

14. Venue in the Northern District of Illinois is proper. The claim for relief arose in this state. 28 U.S.C. 1391(b) and (c).

15. At all times relevant herein, Plaintiffs were in a contractual relationship with Defendants within the meaning of 42 U.S.C. Section 1981.

16. At all times pertinent hereto, Defendants were engaged in an industry affecting commerce and has had fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year.

17. On or about May 7, 1999 Plaintiff, HAWKINS, filed a charge of discrimination with the United States Equal Employment Opportunity Commission ("EEOC"), alleging race

discrimination, racial harassment and retaliation. Said charge is incorporated herein. **(Attached as Exhibit 1).**

18. On or about November 5, 1999, Plaintiff, WOODFORK , filed a charge of discrimination with the EEOC, alleging race discrimination by Defendants in the various terms and conditions of employment. Said charge is incorporated herein. **(Attached as Exhibit 2).**

19. After investigating the EEOC charge of Plaintiff, HAWKINS, the EEOC concluded and issued a finding, as follows:

Charging Party alleged that Respondent discriminated against him on the basis of his race, Black, in violation of Title VII, in that he was subjected to harassment and discipline, was paid different wages, and was discharged. Charging Party further alleged that the Respondent retaliated against him in that it discharged him.

**I have determined that the evidence obtained in the investigation establishes reasonable cause to believe that Respondent discriminated against Charging Party, and a class of individuals, in that it harassed them and subjected them to a hostile work environment based on their race and national origin, in violation of Title VII. (Emphasis supplied) (Attached As Exhibit 3).**

12. After investigating the EEOC charge of Plaintiff, WOODFORK, the EEOC concluded and issued a report, as follows:

Charging Party alleged that Respondent discriminated against him on the basis of his race, Black, in violation of Title VII, in that he was paid different wages, harassed, and subjected to different terms and conditions of employment and disciplined.

**I have determined that the evidence obtained in the investigation establishes reasonable cause to believe that Respondent discriminated against Charging**

**Party, and a class of individuals, in that it harassed them and subjected them to a hostile work environment based on their race and national origin, in violation of Title VII. (Emphasis supplied) (Attached As Exhibit 4).**

20. In spite of EEOC's finding of class-wide discrimination and harassment and invitation to voluntary compliance and resolution by Defendants, Defendants have failed to enter into an acceptable and reasonable voluntary compliance and resolution. That as such, the named Plaintiffs have each obtained the right to sue in this district court.

21. All conditions precedent have been fulfilled by each named Plaintiff, including the filing of a charge of discrimination with the EEOC of the United States Government, and a request and receipt of a Right-to-sue letter from the Equal Employment Opportunity Commission. **(Said Charges And Right to Sue Letters Are Attached Hereto as Exhibit 5).**

**COUNT I**  
**PATTERN AND PRACTICE ALLEGATIONS OF**  
**HARASSMENT DUE TO RACE, NATIONAL ORIGIN AND INFERIOR**  
**TERMS AND CONDITIONS OF EMPLOYMENT**

22. That the preceding paragraphs are incorporated by reference here. Plaintiffs bring this count on their own behalf and on behalf of the class.

23. That Defendants engage in a pattern and practice of harassment due to race and national origin and subjected African Americans and Hispanics to inferior terms and

conditions of employment due to their race and national origin. For example:

24. That during his employment with Defendants, Plaintiff, HAWKINS, was referred to as "monkey" on a daily basis, sometimes up to five times per day by co-workers. These co-workers would refer to HAWKINS and other African Americans in this manner on a daily basis with impunity in the presence of Defendants' officers, supervisors and managers alike. Said co-workers would not be reprimanded or asked to stop by Defendants' agents and supervisors.

25. That during his employment with Defendants, Plaintiff, HAWKINS, and other African American employees were called "porch monkeys", "fucking monkeys", "fucking black monkeys", and "chango" (Spanish for monkey). This name-calling, directed against African Americans, occurred on a daily basis with impunity in the presence of Defendants' officers, supervisors and managers alike.

26. That on a daily basis, Defendants' employees and agents would further harass, taunt and ridicule HAWKINS and other African American employees by making derogatory statements to them such as: "hey monkey! Do you want a banana?", or "let's go to the zoo to see your family."

27. That on a daily basis, HAWKINS was also referred to by such other derogatory names as "Buckwheat" and "Kobe Bryant."

28. That on a daily basis, employees of Hispanic origin were similarly referred to as "spiks" and "wetbacks."

29. That Defendants' supervisors and agents also participate in the ridicule of African Americans and other minorities. For example, Jim Dowling, supervisor, once told Plaintiff, HAWKINS, to watch his tan because he [Plaintiff] was getting darker.

30. That during his employment with Defendants, Plaintiff, HAWKINS, observed that Defendants' employees refer to African Americans as "niggers."

31. That Plaintiff, WOODFORK, was subjected to similar derogatory and harassing treatment as HAWKINS on a daily basis as described above.

32. That furthermore, and in addition to the racial slurs described above, on a daily basis, Plaintiff, WOODFORK, was referred to as "big black bear" by coworkers.

33. That on one occasion, Plaintiff, WOODFORK was insulted by Defendants' supervisor who referred to his hands as "filthy paws."

34. That Plaintiff, WOODFORK, was once told along with other African Americans to "swing back to your home - monkeys".



35. That Defendants' supervisors, C.J. Stunwold referred to Plaintiff, WOODFORK, as a "lazy nigger" in the presence of coworkers.

36. That Defendants, their agents would routinely make racially offensive comments such as "them were the good old days," referring to the period of black slavery.

37. That said race discrimination and racial hostility is openly displayed and ongoing in nature to the present, and Defendants and their agents condone such conduct and refuse to take necessary action to prevent or correct the discrimination and racial harassment directed at African Americans and other minorities and those who associate with them.

38. That all of these and similar incidents have created a hostile and offensive work environment for African American employees and other minorities, including Plaintiffs.

39. That both Plaintiffs and others have complained to Defendants' management about discrimination, harassment and inferior terms and conditions of employment. Plaintiff, WOODFORK, also filed grievances with his Union and management regarding these issues. Nonetheless, Defendants failed to take effective remedial action.

40. That Defendants' illegal conduct was motivated by evil motive and intent and

was in reckless and callous indifference to the federally protected rights of Plaintiffs and other minority workers.

41. That Defendants' treatment of Plaintiffs and other minorities was motivated by racial animus and Defendants and its agents acted with racial animus directed toward African Americans and other minorities in violation of the law.

42. That the race discrimination and harassment that Plaintiffs and other minorities were subjected to in the hands of Defendants, their agents, representatives and employees is persistent in nature, unwelcome, extremely offensive, humiliating, and had the effect of creating a hostile and intimidating work environment for Plaintiffs and other minorities.

43. That said continuous and persistent race discrimination and harassment adversely affected the terms and conditions of Plaintiffs' employment with Defendants.

44. That as a direct and proximate result of said unlawful employment practices and disregard for Plaintiffs' rights and sensibilities, Plaintiffs have lost and will continue to lose substantial income, including but not limited to, wages, fringes, pension, seniority benefits, and other employment benefits that are due them.

45. That as a further direct and proximate result of said unlawful employment

practices Plaintiffs have suffered the indignity of discrimination, invasion of their right to be free from discrimination and great humiliation which is manifest in physical illnesses and emotional stress on the relationships between Plaintiffs and their friends and family.

46. That as a further direct and proximate result of said unlawful employment practices, Plaintiffs have suffered extreme mental anguish, outrage, severe anxiety about their future and ability to support themselves, harm to their employability and earning capacity, painful embarrassment among friends and co-workers, damage to their reputation, disruption of their personal lives, and loss of enjoyment of the ordinary pleasures of life.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully pray that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Certify this case as a class action;
- c. Enter judgment that Defendants' acts and practices as set forth herein are in violation of the laws of United States;
- d. Enter preliminary and permanent relief enjoining the discriminatory conduct necessary to end Defendants' discriminatory practices and prevent current and future harm;
- e. Award Plaintiffs and the class lost wages, including back pay, front

pay and lost fringe benefits, and including, without limitation, any lost benefits that would otherwise have been included in the 401(k) pension plans of Plaintiffs and the class which resulted from the discrimination with applicable statutory interest;

- f. Order Defendants to offer Plaintiffs and the class positions that they would have had absent discrimination with retroactive raises and seniority and benefits.
- g. Award Plaintiffs and the class costs of litigation, including reasonable attorneys' fees and expert fees, expenses and costs;
- h. Award Plaintiffs and the class compensatory and punitive damages.
- i. Grant such other and further relief as this court deems just and proper.

**COUNT II**  
**PATTERN AND PRACTICE COMPLAINT**  
**OF RACE DISCRIMINATION IN PROMOTIONS, WORK ASSIGNMENTS,**  
**COMPENSATION, TRANSFERS, DISCIPLINE AND THE TERMS**  
**AND CONDITIONS OF EMPLOYMENT**

47. That the preceding paragraphs are incorporated by reference here. Plaintiffs bring this count on their own behalf and on behalf of the class.

48. That Defendants engaged in a pattern and practice of race discrimination in connection with promotions, work assignments, compensation, transfers, discipline and terms and conditions of employment. For example:

49. That Defendants' supervisors would routinely subject African-Americans to unequal discipline. In other words, Defendants would discipline African Americans more

harshly for the same infractions for which white employees would not be disciplined or given less severe discipline. For example, an African American employee would arrive to work late at the same time as white co-worker. Defendants' supervisors would observe both employees arrive late but would only discipline the African American employee. On one occasion, Plaintiff arrived late work along with a white employee, DAVID MEYERS. Plaintiff was issued a written warning while MEYERS was not. Defendants engage in this practice to discriminatorily populate the personnel files of African Americans with write-ups in a bid to subject them to inferior terms and conditions of employment and to terminate them in retaliation for complaining.

50. That in connection with the several write-ups that he was being issued by Defendants through his supervisor, Plaintiff, HAWKINS, was once told by his disciplining supervisor, TOM MAYER, "it is not me [MAYER], they [Defendants] are harassing me to write you up."

51. That Defendants' supervisor, Craig Phillips, once told Plaintiff, WOODFORK, that he [Phillips] could terminate WOODFORK's employment for any reason, including not liking the color of his eyes. Phillips made this statement while his gaze was fixed on WOODFORK's arm with his skin exposed, thus suggesting that he could terminate WOODFORK for the color of his skin.

52. That on one occasion, Plaintiff, WOODFORK was forced to go home for the

day because he was late by one minute in contrast to the treatment given by Defendants to similarly-situated white employees who are typically not disciplined for such infractions.

53. That Defendants discriminate against African Americans in work assignments in that whites drivers are assigned newer trucks while African American drivers with more seniority are assigned to use older, less efficient trucks; white drivers are assigned better and more lucrative truck routes than African American drivers with more seniority.

54. That Defendants discriminate against African Americans with respect to compensation in that African Americans are paid less than their white counterparts in the same position. Defendants systematically discriminate against African Americans in compensation by delaying the effective dates of their pay increases and benefits.

55. That Defendants have four different job classifications namely, Recycling, Residential, Commercial, Roll-off, with each classification commanding different compensation. African Americans are disproportionately assigned to the lower paying classifications, sometimes in complete disregard of their seniority rights. That conversely, white employees are hired directly into or transferred to the higher paying classifications with less seniority. Roll-off is the most sought-after classification and neither Plaintiff was offered a position in Roll-off while similarly-situated whites, some with less seniority, were hired directly or transferred into Roll-off by Defendants.

56. That Defendants discriminatorily promote white employees to the position of supervisor while not permitting African Americans into supervisory positions.

57. That Defendants discriminate against African Americans who have temporary medical work restrictions. Defendants would routinely refuse to assign restricted African American employees light duty work thus causing them to lose pay. This is in contrast to the treatment of medically restricted white employees who are routinely assigned light-duty work by Defendants.

58. That Plaintiffs were subjected to different wages and inferior benefits at various times during their employment with Defendants along with other African American employees.

59. That both Plaintiffs and others complained to Defendants' management about discrimination, harassment and inferior terms and conditions of employment. Plaintiff, WOODFORK, also filed grievances with his Union and management regarding these issues. Nonetheless, Defendants failed to take effective remedial action.

60. That instead of taking effective corrective action directed at eliminating race discrimination, Defendants' practice is to retaliate against Plaintiffs and others for complaining about discrimination by disciplining, suspending and ultimately terminating them.

61. That Defendants terminated HAWKINS' employment on April 5, 1999 and WOODFORK's employment on December 21, 1999.

62. That Defendants' treatment of Plaintiffs was motivated by evil motive and intent and was in reckless and callous indifference to Plaintiffs' federally protected rights.

63. That Defendants' conduct was motivated by racial animus and Defendants and their agents acted with racial animus directed toward African Americans and other minorities in violation of the law.

64. That said continuous and persistent race discrimination and harassment adversely affected the terms and conditions of Plaintiffs' employment with Defendants.

65. That as a direct and proximate result of said unlawful employment practices and disregard for Plaintiffs' rights and sensibilities, Plaintiffs have lost and will continue to lose substantial income, including but not limited to, wages, fringes, pension, seniority benefits, and other employment benefits that are due them.

66. That as a further direct and proximate result of said unlawful employment practices Plaintiffs have suffered the indignity of discrimination, invasion of their right to be free from discrimination and great humiliation which is manifest in physical illnesses



and emotional stress on the relationships between Plaintiffs and their friends and family.

67. That as a further direct and proximate result of said unlawful employment practices, Plaintiffs have suffered extreme mental anguish, outrage, severe anxiety about their future and ability to support themselves, harm to their employability and earning capacity, painful embarrassment among friends and co-worker, damage to their reputation, disruption of their personal lives, and loss of enjoyment of the ordinary pleasures of life.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully pray that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Certify this case as a class action;
- c. Enter judgment that Defendants' acts and practices as set forth herein are in violation of the laws of United States;
- d. Enter preliminary and permanent relief enjoining the discriminatory conduct necessary to end Defendants' discriminatory practices and prevent current and future harm;
- e. Award Plaintiffs and the class lost wages, including back pay, front pay and lost fringe benefits, and including, without limitation, any lost benefits that would otherwise have been included in the 401(k) pension plans of Plaintiffs and the class which resulted from the discrimination with applicable statutory interest;
- f. Order Defendants to offer Plaintiffs and the class positions that they

would have had absent discrimination with retroactive raises and seniority, pay raises and benefits.

- g. Award Plaintiffs and the class costs of litigation, including reasonable attorneys' fees and expert fees, expenses and costs;
- h. Award Plaintiffs and the class compensatory and punitive damages.
- i. Grant such other and further relief as this court deems just and proper.

**COUNT III**  
**COMPLAINT OF ANDERSON HAWKINS OF HARASSMENT**  
**DUE TO RACE AND INFERIOR**  
**TERMS AND CONDITIONS OF EMPLOYMENT**

68. That Plaintiff, HAWKINS, incorporates the preceding paragraphs. Plaintiff brings this count individually.

69. That Defendants' conduct subjected Plaintiff, HAWKINS, to harassment due to his race.

70. That Defendants further subjected Plaintiff, HAWKINS, to illegal, inferior and miserable terms and conditions of employment due to his race in violation of Title VII and 42 U.S.C. 1981.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, HAWKINS, respectfully prays that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Award Plaintiff, HAWKINS, appropriate back-pay, future earnings and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- c. Award Plaintiff, HAWKINS, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- d. Award Plaintiff, HAWKINS, a judgment against Defendants for compensatory damages.
- e. Grant judgment against Defendants for punitive damages for willful and wanton conduct.
- f. Enter an order requiring Defendants to implement effective steps to eliminate race discrimination from Defendants' organizations.
- g. Grant such other and further relief as this court deems just and proper.

**COUNT IV**  
**COMPLAINT OF LAWRENCE WOODFORK**  
**FOR HARASSMENT DUE TO RACE AND INFERIOR**  
**TERMS AND CONDITIONS OF EMPLOYMENT**

71. That Plaintiff, WOODFORK, incorporates the preceding paragraphs. Plaintiff brings this count individually.

72. That Defendants' conduct subjected Plaintiff, WOODFORK, to harassment

due to his race.

73. That Defendants' conduct subjected Plaintiff, WOODFORK, to illegal, inferior and miserable terms and conditions of employment in violation of Title VII and 42 U.S.C. 1981.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, WOODFORK, respectfully prays that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Award Plaintiff, WOODFORK, appropriate back-pay, future earnings and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- c. Award Plaintiff, WOODFORK, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- d. Award Plaintiff, WOODFORK, a judgment against Defendants for compensatory damages.
- e. Grant judgment against Defendants for punitive damages for willful and wanton conduct.
- f. Enter an order requiring Defendants to implement effective steps to eliminate race discrimination from Defendants' organizations.
- g. Grant such other and further relief as this court deems just and proper.

**COUNT V**  
**COMPLAINT OF ANDERSON HAWKINS**  
**FOR RETALIATION**

74. That Plaintiff, HAWKINS, incorporates the preceding paragraphs. Plaintiff brings this count individually.

75. That Defendants' conduct in disciplining Plaintiff, harassing him, subjecting him to illegal and inferior terms and conditions of employment and ultimately terminating him amounts to retaliation in violation of Title VII and Section 1981.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, HAWKINS, respectfully prays that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Award Plaintiff, HAWKINS, appropriate back-pay, future earnings and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- c. Award Plaintiff, HAWKINS, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- d. Award Plaintiff, HAWKINS, a judgment against Defendants for compensatory damages.
- e. Grant judgment against Defendants for punitive damages for willful and wanton conduct.
- f. Enter an order requiring Defendants to implement effective steps to eliminate race discrimination from Defendants' organizations.
- g. Grant such other and further relief as this court deems just and proper.

**COUNT VI**  
**COMPLAINT OF LAWRENCE WOODFORK**  
**FOR RETALIATION**

76. That Plaintiff, WOODFORK, incorporates the preceding paragraphs. Plaintiff brings this count individually.

77. That Defendants' conduct in disciplining Plaintiff, harassing him, subjecting him to illegal and inferior terms and conditions of employment and ultimately terminating him amounts to retaliation in violation of Title VII and Section 1981.

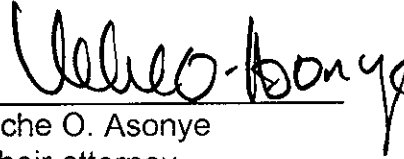
**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, WOODFORK, respectfully prays that the Court provide the following equitable and legal relief:

- a. Advance this case on the docket, order a speedy hearing at the earliest practicable date and cause this case to be expedited in every possible way.
- b. Award Plaintiff, WOODFORK, appropriate back-pay, future earnings and reimbursement for income and fringe benefits lost to the present with applicable statutory interest.
- c. Award Plaintiff, WOODFORK, costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
- d. Award Plaintiff, WOODFORK, a judgment against Defendants for compensatory damages.
- e. Grant judgment against Defendants for punitive damages for willful and wanton conduct.
- f. Enter an order requiring Defendants to implement effective steps to eliminate race discrimination from Defendants' organizations.
- g. Grant such other and further relief as this court deems just and proper.

RESPECTFULLY SUBMITTED,

ANDERSON HAWKINS,  
LAWRENCE WOODFORK,

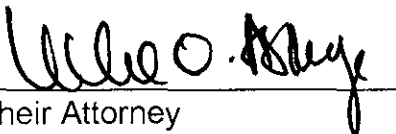
BY   
Uche O. Asonye  
Their attorney

06209522  
ASONYE & ASSOCIATES  
11 South LaSalle Street, Suite 2140  
Chicago, Illinois 60603  
(312) 795-9110

**JURY DEMAND**

NOW COME Plaintiffs, by counsel, and hereby demand a trial by jury in the above entitled cause of action.

RESPECTFULLY SUBMITTED,  
ANDERSON HAWKINS,  
LAWRENCE WOODFORK

By:   
Their Attorney

06209522  
ASONYE & ASSOCIATES  
11 South LaSalle Street, Suite 2140  
Chicago, Illinois 60603  
(312) 795-9110



<b>CHARGE OF DISCRIMINATION</b>		AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER  210992754
This form is affected by the Privacy Act of 1974; See Privacy Act Statement by completing this form.			
<u>Illinois Dept. of Human Rights</u> <i>State or local Agency, if any</i>		and EEOC	
NAME (Indicate Mr., Ms., Mrs.) <b>Mr. Anderson Hawkins</b>		HOME TELEPHONE (Include Area Code) <b>(773) 768-5897</b>	
STREET ADDRESS <b>7520 S Coles, Apt 2 N, Chicago, IL 60649</b>		CITY, STATE AND ZIP CODE	DATE OF BIRTH
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME <b>Groot Recycling &amp; Waste Svcs, Inc</b>	NUMBER OF EMPLOYEES, MEMBERS <b>Cat C (201-500)</b>	TELEPHONE (Include Area Code) <b>(773) 242-1977</b>	
STREET ADDRESS <b>1759 Landmier Rd, Elk Grove Village, IL 60007</b>		CITY, STATE AND ZIP CODE	COUNTY <b>031</b>
NAME	STREET ADDRESS		TELEPHONE NUMBER (Include Area Code)
CITY, STATE AND ZIP CODE	COUNTY		
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))		DATE DISCRIMINATION TOOK PLACE	
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		EARLIEST _____ LATEST _____ <b>05/05/1999</b> <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<p>I. I had been employed by Respondent as a Driver from July 5, 1994 until my discharge on May 5, 1999. During my employment, I had been subjected to harassment, including disciplinaries, and different wages.</p> <p>I was verbally discharged, when I called Management to report that I was two minutes away from the workplace experiencing car trouble.</p> <p>Regarding harassment, since sometime in 1997, and continuing, White Drivers repeatedly made derogatory/offensive remarks toward Black Drivers in the presence of Management, without consequence. Also, I repeatedly received written Warning Notices (January 1998 thru April 1999) and a two-day suspension without pay (January 1999) allegedly for work rule violations related to attendance.</p> <p>Regarding different wages, I was denied pay commensurate with my promotion/classification to Residential Driver (November 3, 1997) and seniority; my grievance request was denied in May 1999.</p> <p>II. I believe that I was discharged, harassed, disciplined/suspended, and paid different wages because of my race, Black, in violation of Title VII of the Civil Rights Act of 1964, as amended.</p> <p>I also believe that my discharge was retaliatory in violation of Title VII, in that I was associated with a coworker who filed an EEOC charge of racial discrimination against Respondent.</p>			
<input type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements) I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
I declare under penalty of perjury that the foregoing is true and correct.		OF COMPLAINANT	
Date <b>5-7-99</b> <i>Anderson Hawkins</i> Charging Party (Signature)		MAY 6 7 1999 AND SWORN TO BEFORE ME THIS DATE (month and year) CHICAGO DISTRICT OFFICE	



# CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement L completing this form.

AGENCY	CHARGE NUMBER
<input type="checkbox"/> FEPA	210A00513
<input checked="" type="checkbox"/> EEOC	

Illinois Dept. of Human Rights and EEOC  
*State or local Agency, if any*

NAME (Indicate Mr., Ms., Mrs.)	HOME TELEPHONE (Include Area Code)
Mr. Lawrence J. Woodfork	(847) 475-5975

STREET ADDRESS	CITY, STATE AND ZIP CODE	DATE OF BIRTH
2014 Dodge St., Evanston, IL 60201		

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include Area Code)
Groot	Cat B (101-200)	(773) 242-1977

STREET ADDRESS	CITY, STATE AND ZIP CODE	COUNTY
1759 Elmhurst Rd., Elk Grove Village, IL 60007		031

NAME	TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS	CITY, STATE AND ZIP CODE	COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))	DATE DISCRIMINATION TOOK PLACE
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)	EARLIEST _____ LATEST _____ 11/05/1999
	<input checked="" type="checkbox"/> CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

I. I have been employed by the Respondent since September 2, 1998. Since the beginning of my employment have been subjected to different terms and conditions of employment. On July 6, 1999 I was disciplined and suspended for one day for not having the proper shoes. On July 7, 1999 I was disciplined and suspended for one day for failure to notify Respondent of my return to work. On July 19, 1999 I was disciplined for failing to notify a supervisor of an absence. On July 20, 1999 I was disciplined for failing to notify Respondent of an absence before 2:00 P.M.. On August 11, 1999 I was disciplined and suspended for one day for being late two minutes to work. On or about September 1999 I was disciplined and suspended for one day for cutting bushes and being late to a safety meeting.

II. I believe I have been discriminated against on the basis of my race, black, in violation of Title VII of the Civil Rights Act of 1964, as amended, in that:

a) I have been disciplined and suspended for activities that non-black individuals participate in but have not been disciplined for;

b) Non-black individuals receive better trucks and truck routes than black employees;

c) Non-blacks with less seniority receive better wages than blacks; and

d) Non-blacks receive better work assignments than blacks. EOC

<input type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - (When necessary for State and Local Requirements) NOV 05 1999 I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
---	---

I declare under penalty of perjury that the foregoing is true and correct.

11-5-99 *Lawrence J. Woodfork*

Date Charging Party (Signature)

**EXHIBIT 2**

OF COMPLAINANT DISTRICT OFFICE

AND SWORN TO BEFORE ME THIS DATE (month and year)



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Chicago District Office**

500 West Madison St., Suite 2800  
Chicago, IL 60661  
PH: (312) 353-2713  
TDD: (312) 353-2421  
ENFORCEMENT FAX: (312) 886-1168  
LEGAL FAX: (312) 353-8555

EEOC Charge Number 210992754

Anderson Hawkins  
2907 W. 79<sup>th</sup> Street  
Chicago, IL 60652

Charging Party

vs.

Groot Recycling and Waste Services, Inc.  
1759 Elmhurst Road  
Elk Grove Village, IL 60007

Respondent

**DETERMINATION**

Under the authority vested in me by the Commission's Procedural Regulations, I issue the following determination on the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, as amended (Title VII).

The Respondent is an employer within the meaning of Title VII and all requirements for coverage have been met.

The Charging Party alleged that Respondent discriminated against him on the basis of his race, Black, in violation of Title VII, in that he was subjected to harassment and discipline, was paid different wages, and was discharged. CP further alleged that Respondent retaliated against him in that it discharged him.

I have determined that the evidence obtained in the investigation establishes reasonable cause to believe that Respondent discriminated against Charging Party, and a class of individuals, in that it harassed them and subjected them to a hostile work environment based on their race and national origin, in violation of Title VII.

This determination is final. When the Commission finds that violations have occurred, it attempts to eliminate unlawful practices by informal methods of conciliation. Therefore, I invite the parties to join with the Commission in reaching a just resolution of this matter. Disclosure of information obtained during the conciliation process will be made only in accordance with the Commission's Procedural Regulations (29 CFR Part 1601.26).



EEOC Charge Number 210992754  
Page 2 of 2

If the Respondent wishes to accept this invitation to participate in conciliation efforts, it may do so at this time, by proposing terms for a conciliation agreement; that proposal should be provided to the Commission representative within 14 days of the date of this determination. The remedies for violations of the statutes we enforce are designed to make the identified victims whole and to provide corrective and preventive relief. These remedies may include, as appropriate, an agreement by the Respondent not to engage in unlawful employment practices, placement of victims in positions they would have held but for the discriminatory actions, back pay, restoration of lost benefits, injunctive relief, compensatory and/or punitive damages, and notice to employees of the violation and the resolution of the claim.

Should the Respondent have further questions regarding the conciliation process, or the conciliation terms it would like to propose, we encourage it to contact the assigned Commission representative. Should there be no response from the Respondent in 14 days, we may conclude that further conciliation efforts would be futile or nonproductive.

On Behalf of the Commission

*September 27, 2000*  
Date

*John P. Rowe*  
John P. Rowe  
District Director 45

RECEIVED FEB 14 2001



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Chicago District Office**

500 West Madison St., Suite 2800  
Chicago, IL 60661  
PH: (312) 353-2713  
TDD: (312) 353-2421  
ENFORCEMENT FAX: (312) 886-1168  
LEGAL FAX: (312) 353-8555

EEOC Charge Number 210A00513

Lawrence J. Woodfork  
2014 Dodge Street  
Evanston, IL 60201

Charging Party

vs.

Groot Recycling and Waste Services, Inc.  
1759 Elmhurst Road  
Elk Grove Village, IL 60007

Respondent

**DETERMINATION**

Under the authority vested in me by the Commission's Procedural Regulations, I issue the following determination on the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964, as amended (Title VII).

The Respondent is an employer within the meaning of Title VII and all requirements for coverage have been met.

The Charging Party alleged that Respondent discriminated against him on the basis of his race, Black, in violation of Title VII, in that he was paid different wages, harassed, and subjected to different terms and conditions of employment and disciplined.

I have determined that the evidence obtained in the investigation establishes reasonable cause to believe that Respondent discriminated against Charging Party, and a class of individuals, in that it harassed them and subjected them to a hostile work environment based on their race and national origin, in violation of Title VII.

This determination is final. When the Commission finds that violations have occurred, it attempts to eliminate unlawful practices by informal methods of conciliation. Therefore, I invite the parties to join with the Commission in reaching a just resolution of this matter. Disclosure of information obtained during the conciliation process will be made only in accordance with the Commission's Procedural Regulations (29 CFR Part 1601.26).



EEOC Charge Number 210A00513  
Page 2 of 2

If the Respondent wishes to accept this invitation to participate in conciliation efforts, it may do so at this time, by proposing terms for a conciliation agreement; that proposal should be provided to the Commission representative within 14 days of the date of this determination. The remedies for violations of the statutes we enforce are designed to make the identified victims whole and to provide corrective and preventive relief. These remedies may include, as appropriate, an agreement by the Respondent not to engage in unlawful employment practices, placement of victims in positions they would have held but for the discriminatory actions, back pay, restoration of lost benefits, injunctive relief, compensatory and/or punitive damages, and notice to employees of the violation and the resolution of the claim.

Should the Respondent have further questions regarding the conciliation process, or the conciliation terms it would like to propose, we encourage it to contact the assigned Commission representative. Should there be no response from the Respondent in 14 days, we may conclude that further conciliation efforts would be futile or nonproductive.

On Behalf of the Commission

September 29, 2000  
Date

John P. Rowe  
John P. Rowe  
District Director

RECEIVED DEC 19 2000

RECEIVED DEC 19 2000



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Chicago District Office**

500 West Madison St., Suite 2800  
Chicago, IL 60661  
PH: (312) 353-2713  
TDD: (312) 353-2421  
ENFORCEMENT FAX: (312) 886-1168  
LEGAL FAX: (312) 353-8555

Anderson Hawkins  
c/o Uche O. Asonye, Esq.  
Asonye & Associates  
11 S. LaSalle Street, Suite 2140  
Chicago, IL 60603

**RE: Charging Party:** Anderson Hawkins  
**Respondent:** Groot Recycling & Waste Services, Inc.  
**EEOC Number:** 210992754

Dear Mr. Hawkins:

Attached please find a Notice of Right to Sue issued on your behalf in the above referenced matter. The Commission's efforts to conciliate this matter with the respondent has been unsuccessful. The Commission has determined that it will not bring a lawsuit against the respondent. By issuing the attached Notice of Right to Sue, the Commission is terminating its processing of your charge.

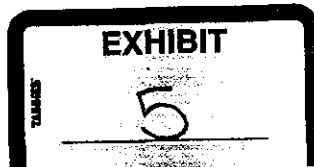
The attached Notice of Right to Sue entitles you to pursue private litigation concerning your allegations against respondent(s) within 90 days of your receipt of this letter. If you do file suit based on this Notice of Right to Sue, it is requested that you provide us with a copy of the complaint you file in court.

On behalf of the Commission:

*December 18, 2000*  
Date

*John P. Rowe*  
John P. Rowe  
District Director

Enclosures



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**NOTICE OF RIGHT TO SUE -- TITLE VII / ADA / ADEA**  
 (Conciliation Failure)

**To:** Anderson Hawkins  
 2907 W. 79<sup>th</sup> Street  
 Chicago, IL 60652

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

Certified No.: 7000 0600 0022 1004 8875



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

Charge Number	EEOC Representative	Telephone Number
210992754	Jose Romo, Investigator	(312) 353-8175

( See the additional information attached to this form )

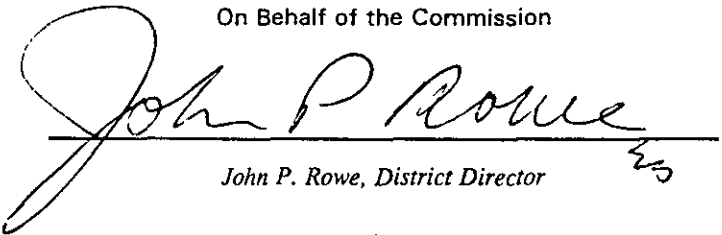
The Commission has found reasonable cause to believe that your charge of employment discrimination is true but has not entered into a conciliation agreement to which you are a party because attempts to achieve such a voluntary settlement with respondent(s) have been unsuccessful.

The Commission has determined that it will not bring a civil action against the respondent(s) and accordingly is issuing this Notice of Right to Sue. With the issuance of this Notice the Commission terminates its process with respect to your charge, except that the Commission may seek status as intervenor if you decide to sue on your own behalf as described below.

If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in United States District Court. IF YOU DECIDE TO SUE, YOU MUST DO SO WITHIN NINETY (90) DAYS FROM YOUR RECEIPT OF THIS NOTICE OF RIGHT TO SUE: OTHERWISE YOUR RIGHT TO SUE IS LOST.

Your suit may include any allegation contained in your charge of employment discrimination or any matter which was or should have been discovered by the Commission during its investigation of your charge.

On Behalf of the Commission

*December 18, 2006*  
  
 John P. Rowe, District Director

Enclosures

- Information sheet
- Copy of Charge

cc: Respondent(s) Groot Recycling & Waste Services, Inc.





**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Chicago District Office**

500 West Madison St., Suite 2800  
Chicago, IL 60661  
PH: (312) 353-2713  
TDD: (312) 353-2421  
ENFORCEMENT FAX: (312) 886-1168  
LEGAL FAX: (312) 353-8555

Lawrence J. Woodfork  
2014 Dodge Street  
Evanston, IL 60201

**RE: Charging Party:** Lawrence J. Woodfork  
**Respondent:** Groot Recycling & Waste Services, Inc.  
**EEOC Number:** 210A00513

Dear Mr. Woodfork:

Attached please find a Notice of Right to Sue issued on your behalf in the above referenced matter. The Commission's efforts to conciliate this matter with the respondent has been unsuccessful. The Commission has determined that it will not bring a lawsuit against the respondent. By issuing the attached Notice of Right to Sue, the Commission is terminating its processing of your charge.

The attached Notice of Right to Sue entitles you to pursue private litigation concerning your allegations against respondent(s) within 90 days of your receipt of this letter. You may wish to retain a private attorney at this time. The Commission maintains a list of attorneys who have indicated an interest in pursuing cases involving employment discrimination. The list is attached for your convenience.

If you do file suit based on this Notice of Right to Sue, it is requested that you provide us with a copy of the complaint you file in court.

On behalf of the Commission:

*December 18, 2000*  
Date

*John P. Rowe*  
John P. Rowe  
District Director

Enclosures

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**NOTICE OF RIGHT TO SUE -- TITLE VII / ADA / ADEA**  
(Conciliation Failure)

To: Lawrence J. Woodfork  
2014 Dodge Street  
Evanston, IL 60201

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

Certified No.: 7000 0600 0022 1004 8882



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

Charge Number	EEOC Representative	Telephone Number
210A00513	Jose Romo, Investigator	(312) 353-8175

( See the additional information attached to this form )

The Commission has found reasonable cause to believe that your charge of employment discrimination is true but has not entered into a conciliation agreement to which you are a party because attempts to achieve such a voluntary settlement with respondent(s) have been unsuccessful.

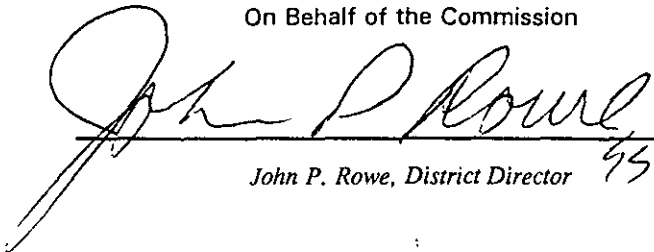
The Commission has determined that it will not bring a civil action against the respondent(s) and accordingly is issuing this Notice of Right to Sue. With the issuance of this Notice the Commission terminates its process with respect to your charge, except that the Commission may seek status as intervenor if you decide to sue on your own behalf as described below.

If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in United States District Court. IF YOU DECIDE TO SUE, YOU MUST DO SO WITHIN NINETY (90) DAYS FROM YOUR RECEIPT OF THIS NOTICE OF RIGHT TO SUE: OTHERWISE YOUR RIGHT TO SUE IS LOST.

Your suit may include any allegation contained in your charge of employment discrimination or any matter which was or should have been discovered by the Commission during its investigation of your charge.

On Behalf of the Commission

December 18, 2006

  
John P. Rowe, District Director 45

Enclosures

- Information sheet
- Copy of Charge

cc: Respondent(s) Groot Recycling & Waste Services, Inc.

JS 44  
(Rev. 07/89)

**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**

Anderson Hawkins  
Lawrence Woodfork, on behalf of  
themselves and all others similarly  
situated

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

**DEFENDANTS**

Groot Industries, Inc. and  
Groot Recycling and Waste Services,  
Inc.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT 01C 1731  
(IN U.S. PLAINTIFF CASES ONLY)  
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
TRACT OF LAND INVOLVED

**DOCKETED**

**JUDGE MORAN**

**MAR 13 2001**

**MAGISTRATE JUDGE ASHMAN**

**(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**

Uche O. Asonye  
ASONYE & ASSOCIATES  
11 South LaSalle, Suite 2140  
Chicago, IL 60603 (312) 795-9110

**ATTORNEYS (IF KNOWN)**

David E. Metz  
SEYFARTH & SHAW  
55 East Monroe, Suite 4200  
Chicago, IL 60603 (312) 346-8000

**II. BASIS OF JURISDICTION**

(PLACE AN X IN ONE BOX ONLY)

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

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(For Diversity Cases Only)

(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. CAUSE OF ACTION**

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Cause of action for Plaintiffs and all other persons similarly situated arises under Title VII of the Civil Rights Act, 42 U.S.C. Section 2000e, as amended and 42 U.S.C. Section 1981, as amended.

**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	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury—Med Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<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 <b>LABOR</b> <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"/> 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 <b>SOCIAL SECURITY</b> <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	<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 <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <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	<b>CIVIL RIGHTS</b> <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	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence 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			

**VI. 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

**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. REMARKS**

In response to  is not a refiling of a previously dismissed action

General Rule 2.21D(2) this case  is a refiling of case number \_\_\_\_\_ of Judge \_\_\_\_\_

DATE

3/12/01

SIGNATURE OF ATTORNEY OF RECORD

*Uche O. Asonye*

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

In the Matter of: Anderson Hawkins, Lawrence Woodfork on behalf of  
themselves and all others similarly situated

v.

Groot Industries, Inc., et al.

**01C 1731**  
Case Number:

**JUDGE MORAN**

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

Anderson Hawkins, Lawrence Woodfork and all others similarly situated

**MAGISTRATE JUDGE ASTMAN**

<b>(A)</b>		<b>DOCKETED (B)</b>	
SIGNATURE <i>Uche O. Asonye</i>		SIGNATURE <b>MAR 13 2001</b>	
NAME Uche O. Asonye		NAME	
FIRM ASONYE & ASSOCIATES		FIRM	
STREET ADDRESS 11 South LaSalle Street, Suite 2140		STREET ADDRESS	
CITY/STATE/ZIP Chicago, Illinois 60603		CITY/STATE/ZIP	
TELEPHONE NUMBER (312) 795-9110		TELEPHONE NUMBER	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 062009522		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"/>	
<b>(C)</b>		<b>(D)</b>	
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  
NORTHERN DISTRICT OF ILLINOIS

1-3