

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

UNITED STATES EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

PRESS REPUBLICAN NEWSPAPERS, INC.,

and

LIBERTY GROUP SUBURBAN  
NEWSPAPERS, INC.

Defendants.

Civil Action No.

COMPLAINT

JURY TRIAL DEMAND

MAGISTRATE JUDGE NOLAN

DOCKETED

MAY 25 2001

FILED-ED4  
01 MAY 24 AM 9:12  
U.S. DISTRICT COURT

NATURE OF THE ACTION

This is an action under Title I of the Americans with Disabilities Act of 1990 (the "ADA"), 42 U.S.C. §12101 et seq., and Title I of the Civil Rights Act of 1991, to correct unlawful employment practices on the basis of disability. Defendant Press Republican Newspapers, Inc. failed to accommodate Karri Chistiansen's disability of depression and instead terminated her because of her disability. Defendant Liberty Group Suburban Newspapers, Inc. is the successor of Press Republican Newspapers, Inc.

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 107(a) of the ADA, 42 U.S.C. §12117(a), which incorporates by reference Sections 706(f)(1) and (3) of

Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. §§2000e-5(f)(1) and (3), and pursuant to Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981A.

2. Defendants each engage in business within the jurisdiction of the Northern District of Illinois.

### **PARTIES**

3. Plaintiff, Equal Employment Opportunity Commission (the "Commission"), is an agency of the United States of America charged with the administration, interpretation and enforcement of Title I of the ADA and is expressly authorized to bring this action by Section 107(a) of the ADA, 42 U.S.C. § 12117(a), which incorporates by reference Section 706(f)(1) of Title VII, 42 U.S.C. §2000e-5(f)(1).

4. At all relevant times Defendant Press Republican Newspapers, Inc. has been a corporation doing business in the State of Illinois and has continuously had at least 15 employees.

5. At all relevant times Defendant Press Republican Newspapers, Inc. has continuously been an employer engaged in an industry affecting commerce under Section 101(5) of the ADA, 42 U.S.C. §12111(5) and Section 101(7) of the ADA, 42 U.S.C. §12111(7), which incorporates by reference Sections 701(g) and (h) of Title VII, 42 U.S.C. §§2000e(g) and (h).

6. At all relevant times Defendant Press Republican Newspapers, Inc. has been a covered entity under Section 101(2) of the ADA, 42 U.S.C. §12111(2).

7. At all relevant times Defendant Liberty Group Suburban Newspapers, Inc. has

been a corporation doing business in the State of Illinois and has continuously had at least 15 employees.

8. At all relevant times Defendant Liberty Group Suburban Newspapers, Inc. has continuously been an employer engaged in an industry affecting commerce under Section 101(5) of the ADA, 42 U.S.C. §12111(5) and Section 101(7) of the ADA, 42 U.S.C. §12111(7), which incorporates by reference Sections 701(g) and (h) of Title VII, 42 U.S.C. §§2000e(g) and (h).

9. At all relevant times Defendant Liberty Group Suburban Newspapers, Inc. has been a covered entity under Section 101(2) of the ADA, 42 U.S.C. §12111(2).

#### **STATEMENT OF CLAIMS**

10. More than thirty (30) days prior to the institution of this lawsuit Karri Christiansen filed a charge with the Commission alleging violations of Title I of the ADA by Defendant Press Republican Newspapers, Inc. At all relevant times she was a "qualified individual with a disability" under Section 101(8) of the ADA, 42 U.S.C. §12111(8). All conditions precedent to the institution of this lawsuit have been fulfilled.

11. On the evening of Thursday, February 4, 1999, Karri Christiansen, the News Editor of Defendant Press Republican Newspapers, Inc., who had been off work due to her disability, depression, since January 21, 1999, presented to Defendant Press Republican Newspapers, Inc. a note from her treating psychologist stating that she was able to return to work. She requested to return to work the following Monday. Instead of discussing her plans to return to work, Defendant Press Republican Newspapers, Inc. immediately

terminated her in violation of Section 102(a) of the Americans with Disabilities Act, 42 U.S.C. § 12112(a).

12. The effect of the practices complained of above has been to deprive Karri Chistiansen of equal employment opportunities because of her disability, depression.

13. The unlawful employment practices complained of above were intentional.

14. In about 1999 Defendant Liberty Group Suburban Newspapers, Inc. became the successor of Press Republican Newspapers, Inc. and continued to operate and publish the newspapers for which Karri Christiansen had been the News Editor. On Information and belief Defendant Liberty Group Suburban Newspapers Inc. had notice of the charge of discrimination filed by Karri Christiansen against Press Republican Newspapers, Inc.

### **PRAYER FOR RELIEF**

WHEREFORE, the Commission respectfully prays that this Court:

A. Grant a permanent injunction enjoining Defendants, their officers, management personnel, employees, agents, successors, assigns, and all persons in active concert or participation with it, from engaging in any employment practice which discriminates on the basis of disability;

B. Order Defendants to institute and carry out policies, practices, and programs which provide equal employment opportunities to qualified individuals with disabilities, and which eradicate the effects of its past and present unlawful employment practices;

C. Order Defendants to make whole Karri Chistiansen by paying her back pay, the value of lost fringe benefits, plus prejudgment interest, in amounts to be proved at trial,

and other affirmative relief necessary to eradicate the effects of the unlawful employment practices of Defendant Press Republican Newspapers, Inc.;

D. Order Defendants to make whole Karri Chistiansen by providing compensation for pecuniary and non-pecuniary losses in amounts to be determined at trial;

E. Grant such further relief as the Court deems necessary and proper; and,

F. Grant the Commission its costs in this action.

**JURY TRIAL DEMANDED**

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

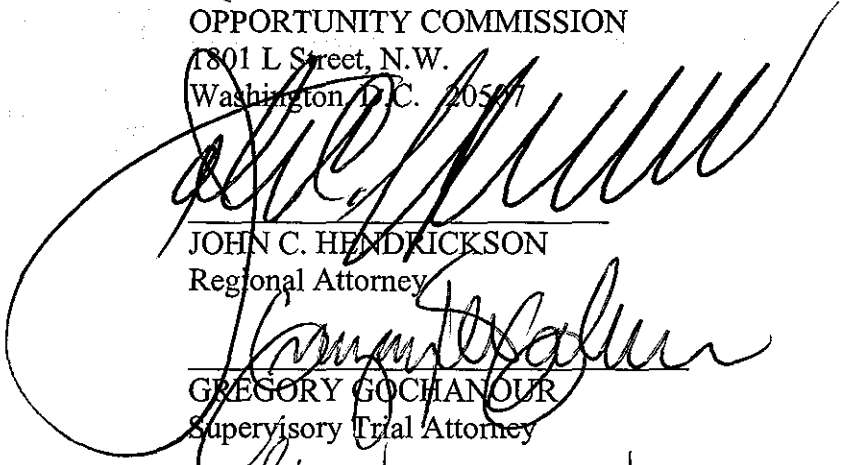
Respectfully submitted,

GWENDOLYN YOUNG REAMS

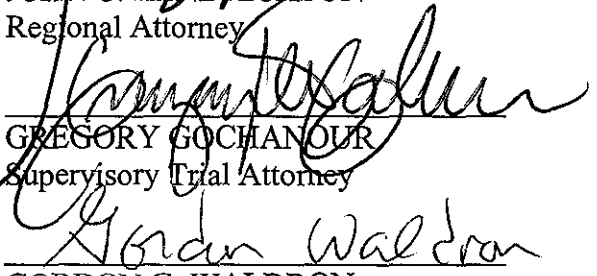
Associate General Counsel

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION

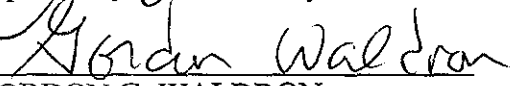
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Regional Attorney



GREGORY GOCHANOUR  
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GORDON G. WALDRON  
Senior Trial Attorney

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

JUDGE NORGLÉ

MAGISTRATE JUDGE NOLAN

Civil Cover Sheet **01C 3840**

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****Defendant(s): Press Republican Newspapers, Inc., and Liberty Group Suburban Newspapers, Inc.**

County of Residence:

County of Residence: DuPage

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

Defendant's Atty: Donald M. Craven  
Craven & Thornton, PC  
1005 North Seventh Street  
Springfield, IL 62762  
(217) 544-1777

**DOCKETED**  
MAY 25 2001**II. Basis of Jurisdiction:** 1 U.S. Gov't Plaintiff**III. Citizenship of Principle 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:** 42 U.S.C. § 12117(a), Americans With Disabilities Act; discrimination based on disability.**VII. Requested in Complaint**

Class Action: No  
Dollar Demand:  
Jury Demand: Yes

**VIII. This case Is NOT a refiling of a previously dismissed case. (If yes case number \_\_ by Judge \_\_)**

Signature:

Date:

Gordon G. Waldron  
5/23/01

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. **Note: You may need to adjust the font size in your browser display to make the form print properly.**

Revised: 06/28/00

FILED-ED4  
MAY 21 AM 9:12  
DISTRICT COURT

12

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

Eastern Division

In the Matter of

**01C 3840**

U.S. Equal Employment Opportunity Commission,  
v.  
Press Republican Newspapers, Inc.,  
and  
Liberty Group Suburban Newspapers, Inc.

Case Number:

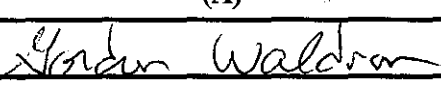
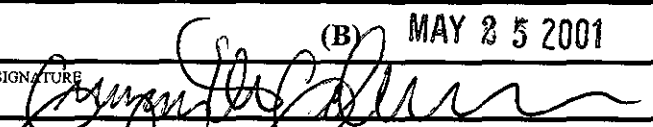
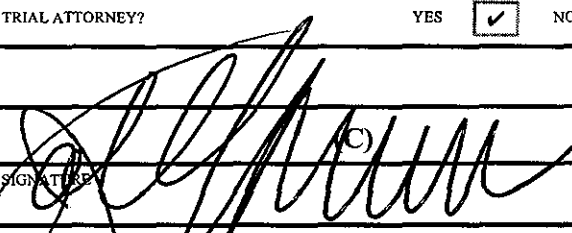
**JUDGE NORGLÉ**

MAGISTRATE JUDGE NOLAN

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

U.S. Equal Employment Opportunity Commission, Plaintiff

**DOCKETED**

(A)	(B) MAY 25 2001
SIGNATURE 	SIGNATURE 
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IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 02920646	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06210804
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TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input checked="" 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"/>
(C)	(D)
SIGNATURE 	SIGNATURE
NAME John C. Hendrickson	NAME
FIRM U.S. Equal Employment Opportunity Commission	FIRM
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CITY/STATE/ZIP Chicago, Illinois 60661	CITY/STATE/ZIP
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IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 01187589	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
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