

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

STEVEN EDWARDS,)
)
Plaintiff,)
)
 v.)
)
 VILLAGE OF MOUNT PROSPECT,)
 Illinois, a municipal corporation,)
 Fire Chief BRIAN LAMBEL,)
 Deputy Fire Chief JOHN DOLAN,)
 Battalion Fire Chief AARON)
 GRANDGEORGE, and Director of)
 Human Resources HEIDI NEU, in)
 their official capacities,)
)
Defendants.)

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff, Steven Edwards (“Lt. Edwards” or “Plaintiff”), by and through his attorneys, complains of Defendants, Village of Mount Prospect (“Village”), Former Fire Chief Brian Lambel (“Chief Lambel”), Former Deputy Fire Chief and Current Fire Chief John Dolan (“DC Dolan” or “Chief Dolan” as appropriate), Battalion Chief Aaron Grandgeorge (“BC Grandgeorge”), and Heidi Neu (“Neu”) (collectively, “Defendants”), as follows.

NATURE OF THE ACTION

1. This matter arises from the hostile, vulgar, and sexually offensive work culture created by the Village of Mount Prospect Fire Department (“MPFD”) and facilitated by MPFD leadership, Defendants Chief Lambel, DC/Chief Dolan, BC Grandgeorge, and Director of Human Resources Neu, and the retaliatory actions taken by Defendants against Lt. Edwards after he reported this offensive and unlawful work environment and otherwise engaged in protected activity. Throughout Lt. Edwards’s decades-long employment with the MPFD, he has performed his duties with diligence and honor, earning him consistently excellent performance evaluations, a promotion to Lieutenant,

and prominent positions on the department's Training and Driving committees. While Lt. Edwards focused on improving his department, other members of the MPFD, including members of leadership, continuously engaged in unlawful behavior, including viewing pornography in the workplace and engaging in graphic conversations regarding sexual performance and sexual violence. Deeply affected by this behavior, Lt. Edwards formally complained to the Chief of the MPFD, and his complaint was ultimately made to the Village Human Resources Department. They responded with retaliation at every step. Notwithstanding that the Village's own investigation made a finding of misconduct against a department Battalion Chief, the Village and MPFD leadership chose not to remedy the unlawful conduct but to instead unlawfully target and retaliate against Lt. Edwards for speaking out against the department's sexist, offensive, and hostile work environment. Lt. Edwards now seeks damages arising out of Defendants' violations of his rights under the First Amendment of the United States Constitution, 42 U.S.C. §1983, Title VII of the Civil Rights Act of 1964, the Illinois Human Rights Act, the Illinois Whistleblower Act, and the Illinois Civil Rights Act.

JURISDICTION AND VENUE

2. Federal question jurisdiction is based upon 28 U.S.C. §1331. The Court has supplemental jurisdiction over all state claims pursuant to 28 U.S.C. §1367(a).

3. Plaintiff has complied with all administrative prerequisites by timely filing a Charge of Discrimination with the Equal Employment Opportunity Commission ("EEOC") and the Illinois Department of Human Rights ("IDHR"). Plaintiff has received a Notice of Right to Sue from the U.S. Department of Justice as well as from the Illinois Department of Human Rights. Plaintiff has recently filed new Charges with the EEOC, cross-filed with the IDHR on account of recent continued discrimination and retaliation, including the MPFD's response to Plaintiff's Notices of Right to Sue by threatening to fire him.

4. Venue is proper in the Northern District of Illinois pursuant to 28 U.S.C. §1391(b)(2) because the events giving rise to this action occurred within this judicial district.

PARTIES

5. Plaintiff, Steven Edwards, an individual, is, and was at all times relevant to this Complaint, a firefighter with the rank of Lieutenant for the Village of Mount Prospect Fire Department.

6. Defendant, Village of Mount Prospect, is a municipal corporation operating, among other things, the Mount Prospect Fire Department, in Cook County, Illinois.

7. Defendant Brian Lambel was at relevant times the Fire Chief of the Village of Mount Prospect Fire Department, employed by the Defendant Village, and acting within the scope of his employment. Defendant Lambel left the fire department in March 2021.

8. Defendant John Dolan was at all relevant times the Deputy Chief or Fire Chief of the Village of Mount Prospect Fire Department, employed by the Defendant Village, and acting within the scope of his employment. Defendant Dolan has been the Fire Chief of the department since March 2021.

9. Defendant Aaron Grandgeorge was at all relevant times the Battalion Chief of the Village of Mount Prospect Fire Department, employed by the Defendant Village, and acting within the scope of his employment.

10. Defendant Heidi Neu was at all relevant times the Director of Human Resources of the Village of Mount Prospect, employed by the Defendant Village, and acting within the scope of her employment.

11. At all relevant times, Plaintiff was an employee within the meaning of Title VII of the Civil Rights Act of 1964, the Illinois Human Rights Act, the Illinois Whistleblower Act, and the Illinois Civil Rights Act.

12. At all relevant times, the Village was an employer within the meaning of Title VII of the Civil Rights Act of 1964, the Illinois Human Rights Act, the Illinois Whistleblower Act, and the Illinois Civil Rights Act.

FACTUAL ALLEGATIONS

13. Plaintiff began his employment with the MPFD in 1997 when he was hired as a firefighter.

14. As a result of his excellent work, MPFD promoted Plaintiff to the rank of Lieutenant in 2015.

15. Throughout his employment, Lt. Edwards served on various department committees, including as the chair of the Driving Committee and trainer for his shift for the Training Committee.

16. For over 24 years, Lt. Edwards consistently received stellar performance evaluations in which his superiors described him as a “valued asset” whose leadership was “shaping the future of the department.”

17. Indeed, Chief Brian Lambel informed Lt. Edwards that he intended to promote him to Battalion Chief as soon as the position became available. Chief Lambel further told Lt. Edwards that he needed to complete his bachelor’s degree in order to be promoted to Battalion Chief and discussed with Lt. Edwards how long it would take him to complete the degree.

18. Chief Lambel also encouraged Lt. Edwards to interact with BC Grandgeorge so he could begin learning the role of Battalion Chief.

19. Chief Lambel told DC Dolan and BC Grandgeorge of his intention to promote Lt. Edwards to Battalion Chief. Both DC Dolan and BC Grandgeorge further discussed the promotion with Lt. Edwards on separate occasions.

20. BC Grandgeorge agreed to assist Lt. Edwards in learning the role of Battalion Chief.

21. In 2019, Chief Lambel again informed Lt. Edwards that the plan was to promote him when Battalion Chief Uidl retired.

22. The MPFD's process for selecting a new Battalion Chief was to give the Chief sole discretion to handpick an individual to fill the role. Accordingly, Lt. Edwards took his conversation with Chief Lambel seriously, quickly returned to college, and obtained a bachelor's degree in Public Safety Management from Southern Illinois University.

23. Despite his dedication and love for his work, Lt. Edwards became increasingly affected by the blatant sexism that permeated the MPFD. Out of approximately 72 sworn firefighters working for the MPFD in 2020, all 72 were men. There were, and still are, zero women firefighters or chiefs within the MPFD.

24. Over time, Lt. Edwards realized the environment had gone from inappropriate to unlawfully offensive and intolerable.

25. On January 17, 2020, Lt. Edwards asked to speak to Chief Lambel and reported to Chief Lambel the unlawful work environment, including:

- a. Ranking female reception and administrative staff to determine who would be the best sexual partner;
- b. BC Grandgeorge and then Lieutenant (now Deputy Chief) Wang repeatedly discussing anal sex, encouraging other firefighters to try it, and congratulating another member for "ass-raping" his wife after the member described having had anal sex with his wife when she was "semi-conscious;" and continued graphic discussions of anal sex thereafter;
- c. Repeatedly watching pornography in the workplace;

- d. Derogatory comments regarding female EMS patients, including referring to a Village employee and resident's breasts as "hoots" and debating whether they were real or fake after transporting her to the hospital for cancer treatment;
- e. BC Grandgeorge also discussing "titty-fucking" this woman on account of her large breasts;
- f. Discussions regarding the presumed sexual performance of the department's female reception and administrative staff;
- g. Discussions regarding the attractiveness of department personnel;
- h. Graphic discussions of sex in the workplace; and
- i. Sharing nude photographs of female celebrities.

26. Chief Lambel himself participated in certain of this conduct.

27. During his phone call with Chief Lambel, Lt. Edwards also reported that BC Grandgeorge facilitated much of the offensive behavior listed above.

28. In fear of retaliation, Lt. Edwards stated that he wanted to keep his complaint anonymous.

29. Despite being promised anonymity, Lt. Edwards soon realized that other members of the MPFD knew about his complaint.

30. In fact, Chief Lambel informed DC Dolan and BC Grandgeorge of his discussion with Lt. Edwards.

31. Just one week after Lt. Edwards reported the unlawful and offensive work environment, on January 24, 2020, BC Grandgeorge responded by issuing to Lt. Edwards the first negative performance evaluation of Lt. Edwards's career.

32. The following month, on or about February 21, 2020, Lt. Edwards met with Chief Lambel and Ms. Neu to discuss his hostile work environment complaint. During this meeting, Lt. Edwards again reported the sexually offensive and hostile environment.

33. On or about February 24, 2020, Ms. Neu informed Lt. Edwards that the department's investigation into his complaint had closed. She further informed Lt. Edwards that the department determined BC Grandgeorge had, in fact, violated the department's anti-discrimination and harassment policy.

34. The Village, however, clearly remained uninterested in cleaning up the egregious work environment that permeated the department, as it merely asked BC Grandgeorge to serve a 24-hour suspension for his unlawful behavior and chose not to discipline a single other member for participating in the offensive and unlawful activity.

35. BC Grandgeorge told Lt. Edwards that he knew it was Lt. Edwards who had reported the conduct.

36. BC Grandgeorge was not required to serve the 24-hour suspension until nearly four months later, undermining the impact of even the little discipline the Village did impose.

37. The retaliation against Lt. Edwards then continued in 2020 when the MPFD refused to promote Lt. Edwards to Battalion Chief when BC Uidl retired, as he was previously told was "the plan."

38. Instead, the department intentionally created a new application process for the position that required interested parties to apply during a specified application window.

39. The MPFD intentionally set the application period to open and close while Lt. Edwards was on a scheduled vacation, when the department presumed he would be unavailable to apply.

40. Despite the MPFD's efforts to prevent Lt. Edwards from timely applying, Lt. Edwards learned of the notice regarding the application process and submitted his application while on vacation.

41. Although Lt. Edwards had the most experience out of the applicants, including having served as Acting Battalion Chief, and notwithstanding the previously stated intent to promote him to this very vacancy, the MPFD rejected Lt. Edwards for the position of Battalion Chief and instead selected a candidate who had not reported the unlawful and discriminatory workplace.

42. Others who had also not complained were rewarded with promotions, including Tom Wang, who had, himself, participated in the behavior, and was thereafter promoted to Deputy Chief.

43. The selection committee included Chief Lambel, Ms. Neu, and DC Dolan, all of whom were aware of Lt. Edwards's complaint.

44. Thereafter, the retaliation continued and, in fact, escalated.

45. Defendants have treated Lt. Edwards disparately, isolated him, and treated him in a manner that has affected his ability to perform all of his job duties.

46. Members of the department, including BC Grandgeorge, stopped speaking to Lt. Edwards, going so far as to leave the room as soon as Lt. Edwards entered.

47. Lt. Edwards's training duties ceased entirely.

48. Moreover, although the MPFD knew Lt. Edwards was chairman of the Driving Committee, MPFD leadership instructed other committee members to conduct driving tests without Lt. Edwards's knowledge.

49. In other instances, the MPFD changed or ignored normal department practices when dealing specifically with Lt. Edwards. For example, BC Grandgeorge removed Lt. Edwards from his preferred shift and station.

50. On or about December 22, 2020, Lt. Edwards made a formal complaint of retaliation, including to Village Manager Mike Cassady (“Cassady”) and to Ms. Neu.

51. That same month, Lt. Edwards completed a Workplace Harassment Acknowledgement Form indicating that he was a victim of harassment and that he knew of others who had been victims of harassment and/or discrimination.

52. On or about January 13, 2021, Lt. Edwards met with outside counsel retained by the Village for an extensive interview about his complaint of retaliation.

53. In response, less than two weeks later, the Village issued Lt. Edwards a pretextual written warning, signed by Chief Lambel and DC Dolan, approved by Ms. Neu, accusing him of actions that never occurred at all or for which he was cleared more than ten years prior.

54. The written warning was the first significant discipline Lt. Edwards had received in nearly 25 years as a firefighter.

55. Lt. Edwards reported the retaliatory nature of the discipline.

56. In response, Ms. Neu chose, again, to retaliate further.

57. She advised Lt. Edwards that the investigation into his complaint of retaliation had been closed with a finding that there was no retaliation and then, within days, she approved further retaliatory discipline.

58. Specifically, about one week after closing the investigation into Lt. Edwards’s report of retaliation, the Village suspended him for a day on account of a minor accident when he hit the garage with a fire truck, as others had done but whom were not similarly disciplined for.

59. This suspension was also signed by Chief Lambel and DC Dolan and approved by Ms. Neu.

60. BC Grandgeorge led the Committees that would have initiated both the written warning and the suspension.

61. The one-day suspension Lt. Edwards was issued on account of accidentally hitting the garage with the fire truck was the same level of discipline BC Grandgeorge was issued on account of his intentional and repeated actions in violation of the law in creating an overtly discriminatory workplace environment in which he regularly viewed pornography and spoke of women as sexual objects who should be rated on their sexual performance or subjected to sexual violence.

62. When his internal complaints about the retaliation were ignored, Lt. Edwards filed a Charge of Discrimination with the EEOC, reporting both the work environment and the retaliation.

63. Lt. Edwards continues to suffer escalating retaliation at the hands of Defendants.

64. Indeed, in response to being notified that Lt. Edwards was issued his Notice of Right to Sue, allowing him to proceed with filing this action, Defendants responded by threatening to fire him, clearly attempting to dissuade him from exercising his rights.

65. Lt. Edwards received the Notice of Right to Sue under Title VII of the Civil Rights Act on June 23, 2022. He received his Notice of Right to Sue under the Illinois Human Rights Act on or about July 22, 2022.

66. Again, within days, on August 2, 2022, Lt. Edwards was issued a Notice of Interrogation from the Village, signed by Chief Dolan and copying Neu, threatening to fire him and notifying him that the Village had initiated an investigation into his use of sick days.

67. In issuing the threat of discharge and notice to appear a mere two days later for this “interrogation” to be conducted by the Village’s lawyer, the Village attempted to circumvent Lt. Edwards’s attorney and right to counsel of his choosing to appear on his behalf.

68. Specifically, notwithstanding knowing that Lt. Edwards was represented, the Village’s counsel chose not to send Lt. Edwards’s counsel the notice, but sent it instead to the attorney for the union “with the hope he would agree to be involved instead of the attorney who is handling the EEOC case.”

69. Rather than taking action to remedy the sexist, offensive behavior that continues to permeate the MPFD, the Village has chosen to continuously harass and retaliate against Lt. Edwards for standing up against misogyny, protecting the residents and employees of Mount Prospect, and expressing his desire to work in an environment that is safe for all people, regardless of gender. Defendants' actions are in direct violation of federal and state law.

70. As a result of Defendants' unlawful conduct, Lt. Edwards has suffered lost wages and other benefits, loss of professional opportunities, emotional distress, aggravation of his physical condition, severe embarrassment, pain, suffering, humiliation, fear, anxiety, damage and risk of damage to his career and reputation, damage to his standing in the community, loss of enjoyment of life, inconvenience, and other, non-pecuniary losses.

COUNT I
RETALIATION IN VIOLATION OF THE FIRST AMENDMENT
OF THE UNITED STATES CONSTITUTION—42 U.S.C. § 1983
(All Defendants)

71. Plaintiff realleges Paragraphs 1 through 70 and incorporates them as though fully set forth herein.

72. The First Amendment to the United States Constitution guarantees an individual the right to speak freely on matters of public concern without fear of unjust retaliation.

73. By its conduct as alleged herein, Defendants retaliated against Plaintiff because he exercised his constitutional right to protected speech.

74. This retaliatory behavior is likely to deter future First Amendment activity, including the exercise of protected speech.

75. The retaliation against Plaintiff was carried out by Defendants Chief Lambel, DC (now Chief) Dolan, BC Grandgeorge, and Neu who had been delegated final policymaking authority with respect to the actions taken.

76. Defendant Village failed to train its managers, supervisors, and employees to prevent

and/or remedy retaliation. Defendant's failure to train was deliberately indifferent to the rights of Plaintiff and others.

77. Defendants' actions were taken pursuant to a policy, custom, or pattern of retaliation against individuals who exercise their right to free speech and complain of unlawful activity.

78. Defendant Village is a municipal corporation, duly incorporated under the laws of the State of Illinois, and was at all relevant times, the employer and principal of Defendants Chief Lambel, DC Dolan, BC Grandgeorge, and Ms. Neu and must indemnify those individual defendants pursuant to 745 ILCS 10/9-102.

79. Defendants' conduct was willful, wanton, intentional and malicious, and deliberately indifferent to Plaintiff's constitutional right to free speech.

80. Plaintiff demands to exercise his right to a jury trial of this matter.

WHEREFORE, Plaintiff respectfully requests that this Court find in his favor and against Defendants on Count I as follows:

- a. Declare that Defendants' conduct was in violation of Plaintiff's rights under the United States Constitution;
- b. Enjoin Defendants and all officers, agents, employees, and persons in active concert or participation with it to institute and carry out all policies and practices to provide equal employment opportunities for all and to prevent discrimination and retaliation in the workplace;
- c. Award Plaintiff any applicable compensatory damages, including but not limited to the value of all past and future lost compensation and benefits as a result of Defendants' unlawful conduct, as well as for emotional distress

- d. Award Plaintiff pre-judgment interest and additional damages to offset the tax liability on the value of compensation and benefits lost, and which he will lose in the future, as a result of Defendants' unlawful conduct;
- e. Award Plaintiff any applicable punitive damages;
- f. Award Plaintiff reasonable attorney's fees, costs, and disbursements; and
- g. Award Plaintiff any and all other relief as the Court deems just in the premises.

COUNT II
CONSPIRACY IN DEPRIVATION OF CONSTITUTIONAL RIGHTS—42 U.S.C. § 1983
(Defendants Lambel, Dolan, Grandgeorge, and Neu)

81. Plaintiff realleges Paragraphs 1 through 70 and incorporates them as though fully set forth herein.

82. By their conduct as alleged herein, Defendants Chief Lambel, DC (now Chief) Dolan, BC Grandgeorge, and Ms. Neu acted in concert with each other and reached an understanding to deprive Plaintiff of his First Amendment right to free speech.

83. Defendants' conduct was willful, wanton, intentional and malicious, and deliberately indifferent to Plaintiff's rights under 42 U.S.C § 1983.

84. Defendant Village is a municipal corporation, duly incorporated under the laws of the State of Illinois, and was at all relevant times, the employer and principal of Defendants Chief Lambel, DC Dolan, BC Grandgeorge, and Ms. Neu and must indemnify those individual defendants pursuant to 745 ILCS 10/9-102.

85. Plaintiff demands to exercise his right to a jury trial of this matter.

WHEREFORE, Plaintiff respectfully requests that this Court find in his favor and against Defendants on Count II as follows:

- a. Declare that Defendants' conduct was in violation of Plaintiff's rights under the United States Constitution;

- b. Enjoin Defendants and all officers, agents, employees, and persons in active concert or participation with it to institute and carry out all policies and practices to provide equal employment opportunities for all and to prevent discrimination and retaliation in the workplace;
- c. Award Plaintiff any applicable compensatory damages, including but not limited to the value of all past and future lost compensation and benefits as a result of Defendants' unlawful conduct, as well as for emotional distress
- d. Award Plaintiff pre-judgment interest and additional damages to offset the tax liability on the value of compensation and benefits lost, and which he will lose in the future, as a result of Defendants' unlawful conduct;
- e. Award Plaintiff any applicable punitive damages;
- f. Award Plaintiff reasonable attorney's fees, costs, and disbursements; and
- g. Award Plaintiff any and all other relief as the Court deems just in the premises.

COUNT III
VIOLATION OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964
(Defendant Village)

86. Plaintiff realleges Paragraphs 1 through 70 and incorporates them as though fully set forth herein.

87. Title VII of the Civil Rights Act of 1964 as amended, specifically 42 U.S.C. §2000e(3), makes it unlawful for an employer to discriminate against any employee because that employee has opposed any unlawful employment practice or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing pursuant to Title VII.

88. By its conduct as alleged herein, Defendant unlawfully retaliated against Plaintiff for exercising his rights under Title VII, opposing an unlawful employment practice, filing a charge, and participating in an investigation pursuant to Title VII.

89. Defendant's conduct toward Plaintiff illustrated a willful and/or reckless disregard of Plaintiff's right to be free from impermissible retaliatory conduct.

90. Plaintiff demands to exercise his right to a jury trial of this matter.

WHEREFORE, Plaintiff respectfully requests that this Court find in his favor and against Defendant on Count III as follows:

- a. Declare that Defendant's conduct was in violation of Title VII of the Civil Rights Act of 1964 as amended;
- b. Enjoin Defendant and all officers, agents, employees, and persons in active concert or participation with it to institute and carry out all policies and practices to provide equal employment opportunities for all and to prevent discrimination and retaliation in the workplace;
- c. Award Plaintiff any applicable compensatory damages, including but not limited to the value of all past and future lost compensation and benefits as a result of Defendant's unlawful conduct, as well as for emotional distress
- d. Award Plaintiff pre-judgment interest and additional damages to offset the tax liability on the value of compensation and benefits lost, and which he will lose in the future, as a result of Defendant's unlawful conduct;
- e. Award Plaintiff reasonable attorney's fees, costs, and disbursements; and
- f. Award Plaintiff any and all other relief as the Court deems just in the premises.

COUNT IV
VIOLATION OF THE ILLINOIS HUMAN RIGHTS ACT
(Hostile Work Environment)
(Defendant Village)

91. Plaintiff realleges Paragraphs 1 through 70 and incorporates them as though fully set forth herein.

92. It is the public policy of the state of Illinois, as stated in the Illinois Human Rights Act, specifically 775 ILCS 5/1-102, to prevent sexual harassment in employment.

93. Sexual harassment, as defined by the Illinois Human Rights Act, 775 ILCS 5/2-101(e), includes any conduct of a sexual nature when such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

94. The Illinois Human Rights Act makes it unlawful for any employer to engage in sexual harassment.

95. By its conduct as alleged herein, Defendant engaged in unlawful sexual harassment in the workplace and subjected Plaintiff to a sexually hostile and offensive work environment in violation of the Illinois Human Rights Act.

96. Defendant failed to take proper corrective or remedial action in response to Plaintiff's reports of the sexually hostile and offensive environment.

97. Defendant's conduct toward Plaintiff illustrates a willful and/or reckless disregard of Plaintiff's right to work in an environment free from sexual harassment.

98. Plaintiff demands to exercise his right to a jury trial of this matter.

WHEREFORE, Plaintiff respectfully requests that this Court find in his favor and against Defendant on Count IV as follows:

- a) Declare that Defendant's conduct was in violation of the Illinois Human Rights Act;

- b) Enjoin Defendant and all officers, agents, employees, and persons in active concert or participation with it to institute and carry out all policies and practices to provide equal employment opportunities for all and to prevent discrimination and retaliation in the workplace;
- c) Award Plaintiff any applicable compensatory damages, including but not limited to the value of all past and future lost compensation and benefits as a result of Defendant's unlawful conduct, as well as for emotional distress
- d) Award Plaintiff pre-judgment interest and additional damages to offset the tax liability on the value of compensation and benefits lost, and which he will lose in the future, as a result of Defendant's unlawful conduct;
- e) Award Plaintiff reasonable attorney's fees, costs, and disbursements; and
- f) Award Plaintiff any and all other relief as the Court deems just in the premises.

COUNT V
VIOLATION OF THE ILLINOIS HUMAN RIGHTS ACT
(Retaliation)
(Defendant Village)

99. Plaintiff realleges Paragraphs 1 through 70 and incorporates them as though fully set forth herein.

100. The Illinois Human Rights Act makes it unlawful for an employer, an employee, or any agent of an employer to discriminate against an employee because he has opposed any unlawful employment practice or because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing pursuant to the Illinois Human Rights Act.

101. The Illinois Human Rights Act also makes it unlawful for a person or for two or more persons to conspire to retaliate against a person because he has opposed that which he reasonably

believed to be sexual harassment in employment because he made a charge, filed a complaint, or participated in an investigation pursuant to the Illinois Human Rights Act.

102. By its conduct as alleged herein, Defendant retaliated against Plaintiff for exercising his rights under the IHRA in opposing and reporting an unlawful employment practice and participating in an investigation or proceeding under the Act.

103. Defendant's conduct toward Plaintiff illustrates a willful and/or reckless disregard of Plaintiff's right to work in an environment free from impermissible retaliatory conduct.

104. Plaintiff demands to exercise his right to a jury trial of this matter.

WHEREFORE, Plaintiff respectfully requests that this Court find in his favor and against Defendant on Count V as follows:

- a) Declare that Defendant's conduct was in violation of the Illinois Human Rights Act;
- b) Enjoin Defendant and all officers, agents, employees, and persons in active concert or participation with it to institute and carry out all policies and practices to provide equal employment opportunities for all and to prevent discrimination and retaliation in the workplace;
- c) Award Plaintiff any applicable compensatory damages, including but not limited to the value of all past and future lost compensation and benefits as a result of Defendant's unlawful conduct, as well as for emotional distress
- d) Award Plaintiff pre-judgment interest and additional damages to offset the tax liability on the value of compensation and benefits lost, and which he will lose in the future, as a result of Defendant's unlawful conduct;
- e) Award Plaintiff reasonable attorney's fees, costs, and disbursements; and
- f) Award Plaintiff any and all other relief as the Court deems just in the premises.

COUNT VI
VIOLATION OF THE ILLINOIS WHISTLEBLOWER ACT
(Defendant Village)

105. Plaintiff realleges Paragraphs 1 through 70 and incorporates them as though fully set forth herein.

106. The Illinois Whistleblower Act, 740 ILCS 174/20.1, makes it unlawful for an employer to retaliate against an employee by engaging in materially adverse actions against that employee because of his disclosure or attempt to disclose what he reasonably believed to be a violation of a state or federal law, rule, or regulation.

107. By its conduct as alleged herein, Defendant retaliated against Plaintiff for exercising his rights under the IWA by opposing and reporting an unlawful employment practice and participating in an investigation or proceeding under the Act.

108. Defendant's conduct was willful, wanton, intentional and malicious, and deliberately indifferent to Plaintiff's rights under Illinois law.

109. Plaintiff demands to exercise his right to a jury trial of this matter.

WHEREFORE, Plaintiff respectfully requests that this Court find in his favor and against Defendant on Count VI as follows:

- a. Declare that Defendant's conduct was in violation of the Illinois Whistleblower Act;
- b. Enjoin Defendant and all officers, agents, employees, and persons in active concert or participation with it to institute and carry out all policies and practices to provide equal employment opportunities for all and to prevent discrimination and retaliation in the workplace;
- c. Award Plaintiff any applicable compensatory damages, including but not limited to the value of all past and future lost compensation and benefits as a result of Defendant's unlawful conduct, as well as for emotional distress

- d. Award Plaintiff pre-judgment interest and additional damages to offset the tax liability on the value of compensation and benefits lost, and which he will lose in the future, as a result of Defendant's unlawful conduct;
- e. Award Plaintiff reasonable attorney's fees, costs, and disbursements; and
- f. Award Plaintiff any and all other relief as the Court deems just in the premises.

COUNT VII
VIOLATION OF THE ILLINOIS CIVIL RIGHTS ACT
(Retaliation)
(Defendant Village)

110. Plaintiff realleges Paragraphs 1 through 70 and incorporates them as though fully set forth herein.

111. The Illinois Civil Rights Act makes it unlawful for any unit of State, county, or local government in Illinois to retaliate against a person because he has opposed unlawful discrimination.

112. By its conduct as alleged herein, Defendant retaliated against Plaintiff for opposing and reporting unlawful discrimination, in violation of 740 ILCS 23/5.

113. Defendant's conduct toward Plaintiff illustrates a willful and/or reckless disregard of Plaintiff's right to work in an environment free from impermissible retaliatory conduct.

114. Plaintiff demands to exercise his right to a jury trial of this matter.

WHEREFORE, Plaintiff respectfully requests that this Court find in his favor and against Defendant on Count VII as follows:

- a) Declare that Defendant's conduct was in violation of the Illinois Civil Rights Act;
- b) Enjoin Defendant and all officers, agents, employees, and persons in active concert or participation with it to institute and carry out all policies and practices to provide equal employment opportunities for all and to prevent discrimination and retaliation in the workplace;

- c) Award Plaintiff any applicable compensatory damages, including but not limited to the value of all past and future lost compensation and benefits as a result of Defendant's unlawful conduct, as well as for emotional distress
- d) Award Plaintiff pre-judgment interest and additional damages to offset the tax liability on the value of compensation and benefits lost, and which he will lose in the future, as a result of Defendant's unlawful conduct;
- e) Award Plaintiff reasonable attorney's fees, costs, and disbursements; and
- f) Award Plaintiff any and all other relief as the Court deems just in the premises.

Respectfully submitted,

/s/ M. Megan O'Malley

Attorney for the Plaintiff

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