

2000(e) *et seq.* (“Title VII”), Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981 (a), and the Civil Rights Act of 1866, 42 U.S.C. §1981 to correct unlawful employment practices on the basis of race, national origin, gender, and retaliation, and to provide appropriate relief to Plaintiff Nereyda Herandez.

Jurisdiction and Venue

2. Plaintiff invokes this Court’s personal jurisdiction under 735 ILCS 5/2-209, Sec. 2-209, *et seq.* as Defendants StaffQuick and Bimbo Bakeries are companies present and transacting business within the State of Illinois.

3. Venue is proper in this Court pursuant to 735 ILCS 5/2-101 as the events giving rise to this action occurred within the 5th Judicial Circuit, in Coles County, Illinois.

4. Plaintiff invokes this Court’s concurrent jurisdiction to hear civil federal civil rights claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000 (e) *et seq.* (“Title VII”), Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981 (a), and the Civil Rights Act of 1866, 42 U.S.C. §1981.

5. On March 20, 2023, Plaintiff cross-filed a charge of discrimination against Defendants with the Equal Employment Opportunity Commission (“EEOC”) and the Illinois Department of Human Rights (“IDHR”) alleging sex discrimination (including sexual harassment), race discrimination, national origin discrimination, and retaliation.

6. The EEOC docketed Plaintiff’s charge as Charge No. 560-2023-01571 (for Defendant StaffQuick) and Charge No. 560-2023-01585 (for Defendant Bimbo Bakeries).

7. On September 17, 2025, the EEOC issued Notice of Right to Sue for Charge No. 560-2023-01571, attached hereto as Exhibit 1.

8. September 19, 2025, the EEOC issued Notice of Right to Sue for Charge No. 560-2023-01585, attached hereto as Exhibit 2.

9. IDHR docketed Plaintiff's charges as 2023SR3084 and 2023SR3085.

10. On November 25, 2025, Plaintiff received Notices of Dismissal for the charges listed in paragraph 9, attached hereto as Exhibit 3 and Exhibit 4.

11. Plaintiff filed this action within ninety (90) days of the aforementioned notices.

12. Plaintiff has fully complied with the administrative exhaustion requirements of Title VII and the IHRA.

Parties

13. Plaintiff is a Hispanic female from Mexico.

14. Plaintiff currently resides in Douglas County, Illinois.

15. Defendant StaffQuick is an Illinois business located at 1 Sunset Hills Professional Center, Edwardsville, Illinois 62025.

16. Defendant Bimbo Bakeries is a Delaware business registered to conduct business in Illinois and conducts business at 3801 Dewitt Ave., Mattoon, Illinois 61938.

17. At all times relevant herein, Defendant StaffQuick employed at least fifteen employees.

18. At all times relevant herein, Defendant Bimbo Bakeries employed at least fifteen employees.

Statement of Facts Common to All Counts

19. At all times relevant, Plaintiff worked on the production line at Defendant Bimbo Bakeries' Mattoon, Illinois facility.

20. At all times relevant, Defendants were joint employers of Plaintiff.

21. Plaintiff received her employment at Defendant Bimbo through Defendant StaffQuick.

22. In or about March 2022, Defendant StaffQuick placed Plaintiff with Defendant Bimbo Bakeries for work.

23. At all times relevant, Plaintiff performed her duties and responsibilities for Defendants in a satisfactory manner.

24. Plaintiff worked on various production lines within Defendant Bimbo Bakeries' Mattoon, Illinois facility.

25. Plaintiff was assigned a post with Phil Webb ("Webb").

26. In or about April or May 2022, Webb made Plaintiff uncomfortable by engaging in the following behavior including:

- a. Working unnecessarily close to Plaintiff despite the large size of the production line;
- b. Asking Plaintiff to hand him a dough ball, then grabbing Plaintiff's hands and rubbing them;
- c. Walking behind Plaintiff and touching his private parts to her behind; and
- d. Coming up behind Plaintiff and whispering things in English she could not understand.

27. These actions by Webb bothered Plaintiff and caused her distress.

28. Plaintiff learned from other female Mexican employees that Webb also made them uncomfortable while working with him.

29. The next day, Webb continued the same behavior toward Plaintiff. Webb extended his arms to touch Plaintiff's breasts.

30. Plaintiff reported Webb's behavior to supervisors for Defendant StaffQuick and Defendant Bimbo Bakeries.

31. Plaintiff informed the supervisors that Webb's behavior was directed not only at Plaintiff but at other women as well.

32. The supervisor for Bimbo Bakeries told Plaintiff that she would not work with Webb anymore. Plaintiff was directed to continue working on Line 1.

33. Webb continued to seek out Plaintiff, including:

- a. When the individual Plaintiff worked with went to the bathroom, Webb would start working on Line 1 next to her;
- b. Webb acted like he was picking up packages and lifting them until his privates touched Plaintiff;
- c. Webb stood near Plaintiff's work area out of camera view for several minutes staring at Plaintiff before leaving;
- d. Plaintiff was working on Line 1, leaned down to pick up some fallen bagels, and Webb was behind her when she stood up. He was close enough that Plaintiff could feel him. Plaintiff rapidly moved to place a male employee between herself and Webb; and
- e. While Plaintiff was working another position, Inspection 2, which involved working high up, Webb left his work area and climbed up to Plaintiff's work area.

34. Plaintiff reported Webb's behavior to Defendants' supervisors.

35. Plaintiff's coworkers told her that Webb acted the same way toward them when he was moved to a different work area. Plaintiff told them that they should report it if it happened to them.

36. Plaintiff also reported what had happened with Webb to the plant Director's wife, Mayra, who also worked for Defendant Bimbo Bakeries. Plaintiff expressed her concerns and fear of Webb to Mayra. Plaintiff informed Mayra that if nothing was going to be done, Plaintiff would make an outside complaint. Mayra told Plaintiff to stay calm and that she would talk to her husband so that action would be taken.

37. Soon after that, Plaintiff was told to go to the office. Supervisors were in the office when Plaintiff arrived and asked Plaintiff to make a report of what happened with Webb. They gave Plaintiff a paper report form, told her to fill it out in Spanish, and said Juan would interpret it.

38. Plaintiff first gave a very short report in Spanish. Plaintiff told Juan she was uncomfortable talking about Webb touching her private parts when so many individuals, including men, were in the room. Juan told Plaintiff that she would meet with the female supervisors alone. Plaintiff returned to work.

39. When Plaintiff returned to her work, her supervisor Chris, who had been in the office when Plaintiff was called in to make the report, went to the machine operators and said something very softly to them. They turned to look at Plaintiff, and it was obvious that Plaintiff's supervisor had informed them of her report about Webb.

40. Other employees also started treating Plaintiff hostilely after Plaintiff made the report. For instance, later that same day, when Plaintiff walked to the cafeteria at lunchtime, a line operator intentionally closed the door on Plaintiff, hitting her.

41. On September 15, 2022, Plaintiff was called back into the office to write a full report. The female Bimbo Bakeries supervisor and StaffQuick interpreter were in the office. The

Bimbo Bakeries supervisor apologized for the day before and wanted to discuss the allegations freely and in detail.

42. Plaintiff described what happened and asked them to review the camera footage. Plaintiff explained that some of the actions would be on camera, but some would not because Webb knew where the cameras were located.

43. Plaintiff explained she had earlier made a report about Webb to Bimbo Bakeries and StaffQuick supervisors. The StaffQuick supervisor confirmed that Plaintiff had earlier reported allegations of touching and assault by Webb to Defendants.

44. Plaintiff wrote the report and was told that camera footage would be reviewed regarding Plaintiff's allegations.

45. Plaintiff was later told Defendants could not access the camera footage.

46. On or about September 16, 2022, Plaintiff found out that one of the Caucasian production operators had a petition signed by all the operation people which supported Webb.

47. After Plaintiff's written complaint, Defendant Bimbo Bakeries' Human Resource Manager, Yarisa Islas ("Islas") interviewed Plaintiff about her allegations regarding Webb.

48. After Plaintiff's meeting with Islas, Plaintiff noticed supervisors for Defendant Bimbo Bakeries checking on her and watching her closely.

49. On information and belief, Defendants pressured at least one individual to sign a declaration that Webb had not done anything to her. That individual told Plaintiff she was scared her employment might be terminated if she did not sign the declaration.

50. Plaintiff informed Mayra about the ongoing situation. Mayra said that Plaintiff and others would be investigated for reporting the harassment.

51. Mayra told Plaintiff that she heard Webb had been fired. She told Plaintiff not to do anything else because everything was being taken care of.

52. On information and belief, Webb had been suspended pending the investigation but then returned to work.

53. Plaintiff heard that she was being watched because Defendants wanted to fire her.

54. When Webb returned to work, Plaintiff was assigned to work near him on multiple shifts.

55. Plaintiff reported to Mayra that she was upset because Webb returned as if nothing had happened. Mayra made comments minimizing Webb's sexual harassment of Plaintiff.

56. On or about October 11, 2022, Webb was working on the same line as Plaintiff. He placed a container near where Plaintiff and another employee were picking up fallen bread. Plaintiff continued to pick up the bread and asked another employee to take a photo to show Webb in her work area, but the other employee did not take the picture. Plaintiff continued working and Webb stayed close to her.

57. Plaintiff was then assigned to Line 3 to box the bread. This job is given to employees as a punishment or if a supervisor does not like the employee. Plaintiff asked a Bimbo Bakeries supervisor she could change positions because her arms were tired, and Plaintiff was told to go where she had been sent.

58. The same supervisor followed Plaintiff when Plaintiff went to the restroom during a break while the line was stopped.

59. Plaintiff also noticed other Bimbo Bakeries supervisors keeping track of her whereabouts.

60. On or about October 12, 2022, Defendant Bimbo Bakeries suspended Plaintiff's employment, and she was walked out of the facility.

61. On or about October 18, 2022, Plaintiff received a phone call from Islas terminating her employment.

62. On or about November 11, 2022, Plaintiff contacted Defendant StaffQuick, and a StaffQuick supervisor told Plaintiff they had received an email from Bimbo Bakeries terminating her assignment. Plaintiff was provided a final paycheck for her work at Bimbo Bakeries.

63. Defendant StaffQuick never offered Plaintiff any other position for work after Bimbo Bakeries.

64. Defendants acted with malice and/or reckless indifference in their actions toward Plaintiff.

VIOLATIONS OF LAW

COUNT I

ILLINOIS HUMAN RIGHTS ACT: SEX DISCRIMINATION **Against all Defendants**

65. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

66. Defendants were Plaintiff's employers within the meaning of 775 ILCS 5/2-101(B).

67. Plaintiff was an employee as defined by 775 ILCS 5/2-101(A).

68. Plaintiff is a protected person (woman) within the meaning of the IHRA.

69. After being made aware of Webb's inappropriate and unwanted behavior toward Plaintiff, Defendants failed to take prompt and effective action to stop the harassment.

70. Plaintiff was subjected to sexual conduct so severe or pervasive that it created an abusive, intimidating, or offensive workplace for Plaintiff.

71. Defendants subjected Plaintiff a hostile work environment based on Plaintiff's sex.
72. Defendants placed Plaintiff in a position known to be difficult work and punishment.
73. Defendants suspended Plaintiff's employment.
74. Defendants terminated Plaintiff's employment at Bimbo Bakeries.
75. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated.
76. Plaintiff's sex was a motivating factor in Defendants' actions taken against Plaintiff.
77. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.
78. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.
79. Because of Defendant's unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation;
80. WHEREFORE, Plaintiff prays that this Court:
 - a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the State of Illinois;
 - b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;
 - c. Award Plaintiff compensatory damages including emotional distress and mental anguish;
 - d. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
 - e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

COUNT II

ILLINOIS HUMAN RIGHTS ACT: RACE DISCRIMINATION
Against all Defendants

81. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

82. Defendants were Plaintiff's employers within the meaning of 775 ILCS 5/2-101(B).

83. Plaintiff was an employee as defined by 775 ILCS 5/2-101(A).

84. Plaintiff is a protected person (Hispanic) within the meaning of IHRA.

85. Defendants harassed Plaintiff due to her race.

86. Defendants placed Plaintiff in a position known to be difficult work and punishment.

87. Defendants suspended Plaintiff's employment.

88. Defendants terminated Plaintiff's employment at Bimbo Bakeries.

89. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated.

90. Plaintiff's race was a motivating factor in Defendants' actions taken against Plaintiff.

91. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.

92. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.

93. Because of Defendants' unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation.

94. WHEREFORE, Plaintiff prays that this Court:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the State of Illinois;

- b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;
- c. Award Plaintiff compensatory damages including emotional distress and mental anguish;
- d. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

COUNT III

ILLINOIS HUMAN RIGHTS ACT: NATIONAL ORIGIN DISCRIMINATION

Against all Defendants

95. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

96. Defendants were Plaintiff's employers within the meaning of 775 ILCS 5/2-101(B).

97. Plaintiff was an employee as defined by 775 ILCS 5/2-101(A).

98. Plaintiff is a protected person (from Mexico) within the meaning of IHRA.

99. Defendants harassed Plaintiff due to her national origin.

100. Defendants placed Plaintiff in a position known to be difficult work and punishment.

101. Defendants suspended Plaintiff.

102. Defendants terminated Plaintiff's employment at Bimbo Bakeries.

103. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated.

104. Plaintiff's national origin was a motivating factor in Defendants' actions taken against Plaintiff.

105. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.

106. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.

107. Because of Defendants' unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation.

108. WHEREFORE, Plaintiff prays that this Court:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the State of Illinois;
- b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;
- c. Award Plaintiff compensatory damages including emotional distress and mental anguish;
- d. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

COUNT IV

ILLINOIS HUMAN RIGHTS ACT: RETALIATION **Against all Defendants**

109. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

110. Defendants were Plaintiff's employers within the meaning of 775 ILCS 5/2-101(B).

111. Plaintiff was an employee as defined by 775 ILCS 5/2-101(A).

112. Plaintiff engaged in protected activity under the IHRA when she complained of sexual harassment to Defendants.

113. Plaintiff engaged in protected activity under the IHRA when she opposed sexual harassment to Defendants.

114. Plaintiff engaged in protected activity under the IHRA when she participated in an investigation into the alleged sexual harassment.

115. Following Plaintiff's protected activity, Defendant took actions against Plaintiff, including:

- a. Placing Plaintiff in a position known to be difficult work and punishment;
- b. Closely watching and following Plaintiff at work;
- c. Investigating Plaintiff for harassing Webb;
- d. Suspending Plaintiff's employment at Bimbo Bakeries; and
- e. Terminating Plaintiff's employment at Bimbo Bakeries.

116. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated.

117. Plaintiff's protected activity was a motivating factor in Defendants' actions taken against Plaintiff.

118. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.

119. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.

120. Because of Defendants' unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation.

121. WHEREFORE, Plaintiff prays that this Court:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the State of Illinois;
- b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;

- c. Award Plaintiff compensatory damages including emotional distress and mental anguish;
- d. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
- e. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

COUNT V

TITLE VII: SEX DISCRIMINATION
Against all Defendants

122. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

123. Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000e(b) and 42 U.S.C. § 2000e(c).

124. Plaintiff was an employee as defined by 42 U.S.C. § 2000e(f).

125. Plaintiff is a protected person (woman) within the meaning of Title VII.

126. After being made aware of Webb's inappropriate and unwanted behavior toward Plaintiff, Defendants failed to take prompt and effective action to stop the harassment.

127. Plaintiff was subjected to sexual conduct so severe or pervasive that it created an abusive, intimidating, or offensive workplace for Plaintiff.

128. Defendants subjected Plaintiff a hostile work environment based on Plaintiff's sex.

129. Defendants placed Plaintiff in a position known to be difficult work and punishment.

130. Defendants terminated Plaintiff's employment at Bimbo Bakeries.

131. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated.

132. Plaintiff's sex was a motivating factor in Defendants' actions taken against Plaintiff.

133. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.

134. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.

135. Because of Defendants' unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation.

136. The foregoing conduct was committed by Defendants with malice and/or reckless indifference to Plaintiff's right not be sexually harassed and/or discriminated against in violation of the law.

137. WHEREFORE, Plaintiff prays that this Court:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;
- c. Award Plaintiff compensatory damages including for emotional distress and mental anguish;
- d. Award Plaintiff punitive damages;
- e. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
- f. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

COUNT VI

TITLE VII: RACE DISCRIMINATION **Against all Defendants**

138. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

139. Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000e(b) and 42 U.S.C. § 2000e(c).

140. Plaintiff was an employee as defined by 42 U.S.C. § 2000e(f).

141. Plaintiff is a protected person (Hispanic) within the meaning of Title VII.

142. Defendants harassed Plaintiff due to her race.

143. Defendants placed Plaintiff in a position known to be difficult work and punishment.

144. Defendants suspended Plaintiff's employment.

145. Defendants terminated Plaintiff's employment at Bimbo Bakeries.

146. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated.

147. Plaintiff's race was a motivating factor in Defendants' actions taken against Plaintiff.

148. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.

149. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.

150. Because of Defendants' unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation.

151. The foregoing conduct was committed by Defendants with malice and/or reckless indifference to Plaintiff's right to not be harassed and/or discriminated against due to her race in violation of the law.

152. WHEREFORE, Plaintiff prays that this Court enter an ORDER:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;
- c. Award Plaintiff compensatory damages including for emotional distress and mental anguish;
- d. Award Plaintiff punitive damages;
- e. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
- f. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

COUNT VII

TITLE VII: NATIONAL ORIGIN DISCRIMINATION **Against all Defendants**

153. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

154. Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000e(b) and 42 U.S.C. § 2000e(c).

155. Plaintiff was an employee as defined by 42 U.S.C. § 2000e(f).

156. Plaintiff is a protected person (from Mexico) within the meaning of Title VII.

157. Defendants harassed Plaintiff due to her national origin.

158. Defendants placed Plaintiff in a position known to be difficult work and punishment.

159. Defendants suspended Plaintiff's employment.

160. Defendants terminated Plaintiff's employment at Bimbo Bakeries due to her national origin.

161. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated.

162. Plaintiff's national origin was a motivating factor in Defendants' actions taken against Plaintiff.

163. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.

164. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.

165. Because of Defendants' unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation.

166. The foregoing conduct was committed by Defendants with malice and/or reckless indifference to Plaintiff's right to not be harassed and/or discriminated against due to her national origin in violation of the law.

167. WHEREFORE, Plaintiff prays that this Court:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;
- c. Award Plaintiff compensatory damages including for emotional distress and mental anguish;
- d. Award Plaintiff punitive damages;
- e. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
- f. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

COUNT VIII

TITLE VII: RETALIATION

Against all Defendants

168. Plaintiff incorporates by reference the allegations in the foregoing paragraphs as if fully set forth herein.

169. Defendants were Plaintiff's employers within the meaning of 42 U.S.C. § 2000e(b) and 42 U.S.C. § 2000e(c).

170. Plaintiff was an employee as defined by 42 U.S.C. § 2000e(f).

171. Plaintiff engaged in protected activity under Title VII when she complained of sexual harassment to Defendants.

172. Plaintiff engaged in protected activity under Title VII when she opposed sexual harassment to Defendants.

173. Plaintiff engaged in protected activity under Title VII when she participated in an investigation into the alleged sexual harassment.

174. Following Plaintiff's protected activity, Defendants took actions against Plaintiff, including:

- a. Placing Plaintiff in a position known to be difficult work and punishment;
- b. Closely watching and following Plaintiff at work;
- c. Investigating Plaintiff for harassing Webb;
- d. Suspending Plaintiff's employment; and
- e. Terminating Plaintiff's employment at Bimbo Bakeries.

175. Defendant StaffQuick did not offer Plaintiff any other position after her assignment with Bimbo Bakeries terminated

176. Plaintiff's protected activity was a motivating factor in Defendants' actions taken against Plaintiff.

177. Because of Defendants' unlawful actions, Plaintiff has suffered lost wages and benefits of employment.

178. Because of Defendants' unlawful actions, Plaintiff has suffered emotional distress and mental anguish.

179. Because of Defendants' unlawful actions, Plaintiff has incurred attorneys' fees and costs of litigation.

180. The foregoing conduct was committed by Defendants with malice and/or reckless indifference to Plaintiff's right to not be retaliated against in violation of the law.

181. WHEREFORE, Plaintiff prays that this Court:

- a. Enter a judgment that Defendants' acts and practices as set forth herein are in violation of the laws of the United States;
- b. Award Plaintiff lost wages, including back pay, front pay and lost benefits;
- c. Award Plaintiff compensatory damages including for emotional distress and mental anguish;
- d. Award Plaintiff punitive damages;
- e. Award Plaintiff attorneys' fees and the costs of this action, including the fees and costs of experts; and
- f. Grant Plaintiff such other and further relief as this Court finds necessary and proper.

Prayer for Relief

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in her favor and against Defendants, awarding lost wages and benefits, front pay, emotional distress damages,

compensatory damages, punitive damages, pre- and post-judgment interest, and attorney's fees and costs, as well as any other relief this Court deems may be just and proper.

Jury Demand

Plaintiff respectfully requests a trial by jury of all issues triable by a jury.

Respectfully submitted,

/s/ Meredith Berwick

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