



ISBELL V ALLSTATE
(ALL-IN-ONE)

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DISCRIMINATION LAWSUITS FILED AGAINST
ALLSTATE INSURANCE COMPANY

SOVEREIGN: US | Federal

CIRCUIT: 7th Circuit

DISTRICT: USILSD



0302-01

ISBELL v ALLSTATE

3:01-CV-00252

CAPTION: *Isbell v Allstate*, 3:01-cv-00252 (USILSD 2021)

DISTRICT: USILSD

CASE NO: 3:01-cv-00252

CASE TYPE: Employment Discrimination

CHARGES: age

WEBPAGE: 0302_01.html

DOCKET: <https://ecf.ilsd.uscourts.gov>

DOCKET ENTRY: {#1}

DOCUMENT: Complaint

DATE: 4/23/2021

PAGES: 5



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

FILED
01 APR 23 AM 9:51
SOUTHERN DISTRICT OF ILLINOIS

DORIS ISBELL,)
)
 Plaintiff,)
)
 v.)
)
 ALLSTATE INSURANCE COMPANY,)
)
)
 Defendant.)

Cause No. 01-252-DRH
JURY TRIAL DEMANDED

COMPLAINT

PRELIMINARY STATEMENT

1. This is an individual employment discrimination action seeking equitable, injunctive, and monetary relief because of Defendant's age discrimination against Plaintiff Doris Isbell in violation of her rights under the Age Discrimination in Employment Act, 29 U.S.C. §§ 621 et seq. ("ADEA"); and Defendant's retaliation against Plaintiff in violation of her rights under ADEA, Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., as amended ("Title VII"); and Americans with Disabilities Act of 1990, 42 U.S.C. §§12101 et seq. ("ADA").

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 1331 and 1343(a)(4); 29 U.S.C. § 626(c); 42 U.S.C. §2000(e)-5; and 42 U.S.C. § 12117(a).

3. Plaintiff Doris Isbell is a resident of the Southern District of Illinois and was over 40 years of age at all times relevant to this case.

4. Defendant Allstate Insurance Company is a duly authorized corporation existing under law and doing business in the Southern District of Illinois.

COMPLIANCE WITH STATUTORY REQUISITES

5. Plaintiff filed timely charges with regard to age discrimination and retaliation with the Equal Employment Opportunity Commission (hereinafter after "EEOC").

6. EEOC issued to Plaintiff a Notice of Right to Sue, attached as Plaintiff's Exhibit 1 and incorporated by reference as if fully set out here, and Plaintiff brings this action in a timely manner.

STATEMENT OF CLAIM

7. Plaintiff Doris Isbell was employed by Defendant as an insurance agent until June 30, 2000.

8. Defendant discriminated against Plaintiff in the terms, conditions, and privileges of her employment on the basis of her age.

9. Defendant also limited, segregated, and classified Plaintiff because of her age and which thus deprived her of employment opportunities and otherwise adversely affected her status as an employee.

10. Defendant terminated Plaintiff's employment because of her age.

11. Defendant engaged in a pattern and practice of discriminating against insurance agents in the terms, conditions, and privileges of employment on the basis of age.

12. Defendant engaged in a pattern and practice of limiting, segregating, and classifying insurance agents including Plaintiff because of their age and which thus deprived them of employment opportunities and otherwise adversely affected their status as employees.

13. Defendant engaged in a pattern and practice of terminating the employment of insurance agents on the basis of age.

14. Defendant attempted to force Plaintiff and other insurance agents and did force agents to execute waivers of their civil rights including their rights under ADEA, Title VII, and ADA.

15. Defendant retaliated against Plaintiff including by terminating her employment for her refusal to execute such a waiver.

16. Defendant engaged in a pattern and practice of such retaliation against agents who refused to execute such waivers.

17. Plaintiff was at all times mentioned above ready, willing, and able to perform the required duties of an insurance agent.

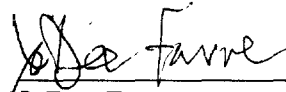
18. The conduct of Defendant as described above constitutes unlawful discrimination on the basis of age in violation of ADEA and retaliation in violation of ADEA, Title VII, and ADA.

19. As a direct and proximate result of Defendant's conduct as set forth above, Plaintiff has suffered and continues to suffer substantial losses in earnings, income, and retirement and other benefits and job experience and advancement she would have received absent Defendant's discrimination and retaliation; emotional and mental suffering and anguish; embarrassment, humiliation, hurt, upset, frustration, inconvenience, loss of reputation and enjoyment of life, and other nonpecuniary losses.

20. Defendant's conduct as set forth above was willful, wanton, and malicious and done with the reckless disregard of Plaintiff's rights.

WHEREFORE, Plaintiff Doris Isbell requests judgment against Defendant declaring Defendant's conduct illegal and enjoining Defendant from such conduct in the future, for reinstatement as an employee of Defendant in a position with commensurate salary and other benefits which is comparable to that which she would have had absent Defendant's illegal discriminatory practices, back pay and front pay with interest and including retirement and other benefits, a sum equal to the back pay as liquidated damages, lost past and future earnings and income; compensatory damages in a fair and reasonable amount for Plaintiff's emotional and mental pain, suffering, and anguish; embarrassment, humiliation, hurt, upset, frustration, inconvenience, and loss of reputation and enjoyment of life, and other nonpecuniary losses; punitive damages, prejudgment interest, attorney's fees, costs, and any other relief this Court deems just and proper.

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ATTORNEYS FOR PLAINTIFF
DORIS ISBELL

NOTICE OF RIGHT TO SUE

(Issued on request)

| | | |
|---|---|---|
| To: Doris Isbell 365 BUNKER HILL ROAD BELLEVILLE, IL 62221 | | From: EQUAL EMPLOYMENT OPPORTUNITY COMM. Kansas City Area Office 400 State, suite 905 Kansas City Ks 66101 |
| <input type="checkbox"/> On behalf of a person aggrieved whose identity is CONFIDENTIAL (29 C.F.R. 1601.7(a)) | | |
| Charge Number 280A01133 | EEOC Representative Lawrence Warren | Telephone Number (913) 551-6641 |

(See the additional information attached to this form)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964 and/or the Americans with Disabilities Act (ADA): This is your Notice of Right to Sue. It is issued under Title VII and/or the ADA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII or the ADA **must be filed in federal court WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

- More than 180 days have passed since the filing of this charge.
- Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of the charge.
- The EEOC is terminating its processing of this charge.
- The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

- The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal court WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.
- The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of your charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required). EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit based on this charge, please send a copy of your court complaint to this office.

On Behalf of the Commission

Lynn Bruner

 Lynn Bruner, District Director

3/29/01

 (Date)

Enclosure(s)

cc: ALLSTATE INSURANCE COMPANY
 NORTH PLAZA, 2775 SANDERS ROAD
 NORTHBROOK, IL 60062



APPENDIX



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CONTACT INFORMATION

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Congratulations! You're now **booked up** on this discrimination lawsuit that was filed against Allstate Insurance Company!

