

EXHIBIT 3

PART 4

- Marlaina's contract with the College.
- c. She denied Marlaina a column movement and reimbursement for her fall PhD classes on the unfounded representation that Marlaina delivered her paperwork to her too slowly, while white, non-disabled teachers in her department had not been unreasonably denied such benefits.
 - d. Even though she conducted observation meetings of Marlaina's Developmental English classes, she refused to communicate her observations of Marlaina's performance in those classes to Marlaina as required, while white, non-disabled teachers in her department were not similarly ignored.
 - e. When Marlaina expressed discomfort to the Dean and the unreasonable manner in which she was being treated, the Dean stated "you are about as comfortable as you should be." And that "you are the type of teacher who remains a part-timer and is not tenured." And that "you are an excellent teacher but you don't fit into the College of Lake County Community." She further falsely accused Marlaina of not being an active member of the College community.
 - f. She publicly posted a confidential memo wherein the above stated matters were discussed in an obvious attempt to label and stigmatize Marlaina as a "problem" teacher.
 - g. She required Marlaina to notify her if Marlaina was going to be out of her office for more than 15 minutes, while white, non-disabled teachers in her department had no such restrictions.

- h. She mandated multiple meetings with Marlaina to "check up" on Marlaina, while white, non-disabled teachers in her department were not subject to such scrutiny.
 - i. She chastised Marlaina about her absence due to MS and told Marlaina that she of all people has no right to require her students to comply with an attendance policy because she has an illness that makes her absent "all of the time".
 - j. She wrote memos to the College administration falsely representing the number of Marlaina's absences.
 - k. On the basis of said false absenteeism reported to the College Vice President and Human Resource Director, she restricted Marlaina's ability to teach during the summer and Marlaina's ability to teach Developmental Courses by confining her teaching to the internet where she was not allowed to have personal contact with students, where no such false reports were made about white, non-disabled teachers in her department, and no such restrictions were imposed.
 - l. Early in her reign as Dean, she told Marlaina that the student make up of the Developmental students, predominately students of color and with disabilities, were not worthy of her efforts or of a full-time instructor.
16. Based upon the disparate treatment and upon the derogatory comments made by Defendant Dean, relative to Marlaina's disability and negative attitude towards disabled persons and persons of color, Marlaina reasonably believes that Defendant Dean discriminated against her because she was non-Caucasian and disabled.

17. On numerous occasions between August 2003 and July 2006, Marlaina reported the outrageous and discriminating conduct of Defendant Dean to the Defendant College, by informing its Board, its Vice President and its Head of Human Resources, but no action was taken to eliminate said conduct.
18. After Marlaina reported said conduct, the Dean's treatment of Marlaina, progressively worsened in apparent retaliation from Marlaina having made such complaints.
19. Between August 2004 and 2006 as a direct and proximate result of the outrageous and discriminatory conduct of Defendant Dean, and the failure of Defendant College to control said Defendant Dean, Marlaina's medical condition deteriorated.
20. During this period, Marlaina's disability began to manifest the following symptoms:
 - A. She suffered from diagnosed bouts of anxiety which exacerbated her MS disability, for which she was prescribed medication.
 - B. She suffered numerous physical symptoms, including tightening sensations in her chest, canker sores in her mouth, inability to hold food down, rapid weight loss, general numbness in her body, visual impairment including loss of peripheral vision, and a loss in some of her hearing.
21. On or about August 2006, Marlaina was forced, by reason of worsening medical condition and upon the advice and certifications of her physician, to take a one year medical leave of absence.
22. Defendant Dean's employment was terminated from the College in July, 2007.
23. In July 2007, Marlaina returned to her regular employment with the College, free from the outrageous and unreasonable discrimination and harassment of Defendant Dean, and

- has, since said return, not suffered any of the symptoms outlined above.
24. On August 1, 2006, Marlaina filed a Complaint with the Equal Employment Opportunity Commission alleging that the College discriminated against her because of her race, national origin and disability and that it retaliated against her.
25. On August 3, 2007, Marlaina received an Equal Employment Opportunity Commission notice of her right to sue and commenced this action with ninety (90) days thereof.
26. At all times, the Defendants Dean and College, its officers, agents and employees, adopted a policy of violating Marlaina's rights through their willful and wrongful harassment, discrimination, retaliation and failure to act to prevent further ongoing acts of said conduct after notification.
27. As a result of Defendants' acts, Marlaina suffered economic and other losses and has suffered extreme humiliation, embarrassment and mental distress.

VIOLATIONS OF LAW

COUNT I

28. Plaintiff realleges Paragraphs 7 through 27 as and for this Paragraph 28.
29. The actions of Defendant, Dean, in punishing, humiliating, harassing and depriving Plaintiff of earned employment benefits and opportunity based upon false representations to College officials, while making disparaging comments relative to her disability, and while treating white, non-disabled teachers in a totally opposite manner, was done with malice and without any justification whatsoever.
30. This conduct constituted discrimination based upon race, national origin, disability and retaliation, and as such, denied Plaintiff equal protection and due process of the U.S. and

State Constitutions and the Federal and State laws set forth herein.

31. As a result of Defendant Dean's action, Plaintiff suffered economic and other losses including extreme humiliation, embarrassment and mental distress which worsened her disability resulting in her being unable to engage in her profession and becoming seriously ill.

WHEREFORE, Plaintiff demands judgment against Defendant Dean as follows:

- A. Awarding Plaintiff damages in excess of \$50,000.00 for compensation and in excess of \$50,000.00 for punitive damages;
- B. Awarding Plaintiff reasonable attorney's fees and costs of this action; and
- C. For such relief as this Court deems just and reasonable.

COUNT II

32. Plaintiff realleges Paragraphs 7 through 31 as and for this Paragraph 32.

33. The failure of the College and its Board to control, terminate and otherwise prevent the blatant and discriminatory conduct of its Dean from damaging one of its finest teachers after having been placed on notice of such conduct, constitutes the adoption, ratification, and approval of such discriminatory acts as a custom and policy of the College and its governing Board, and it renders the College and its Board fully accountable to Plaintiff for denial of Plaintiff's equal protection and due process under the U.S. and State Constitutions and Federal and State laws as set forth herein.

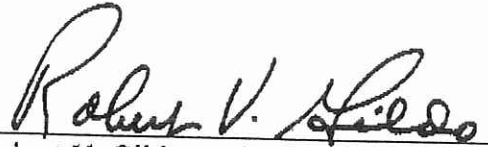
WHEREFORE, Plaintiff demands judgment against Defendant Dean as follows:

- A. Awarding Plaintiff damages in excess of \$50,000.00 for compensation and in

excess of \$50,000.00 for punitive damages;

- B. Awarding Plaintiff reasonable attorney's fees and costs of this action; and
- C. For such relief as this Court deems just and reasonable.

Respectfully submitted,

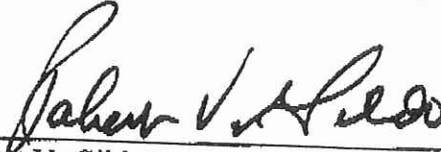


Robert V. Gildo, on behalf of
Marlaina Easton

Robert V. Gildo
ARDC #: 0956252
120 North Hale, 3rd Floor
Wheaton, Illinois 60187
(630) 462-7979 / fax (462-8067)

VERIFICATION

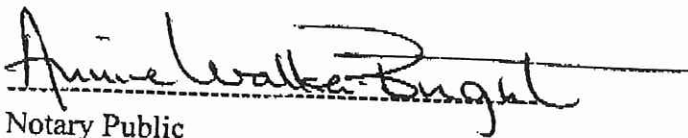
The undersigned doth swear and affirm that the foregoing pled facts and circumstances are true and correct to the best of his own personal knowledge, save where pled upon information and belief.



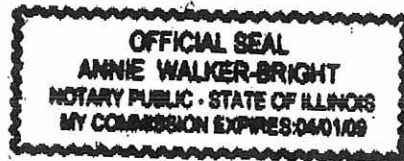
Robert V. Gildo
Attorney for Marlaina Easton







Dated: October 30th, 2007


Subscribed and Sworn to
Before me this 30th day of October 2007.



Notary Public



 Reply  Reply to all  Forward    Close  Help

 You forwarded this message on 9/15/08 8:58 AM.

From: Kartje, Jean V

Sent: Thu 7/20/06 8:46 AM

To: Easton, Marlaina

Cc: Winter, Mary M ; Pollard, DeRionne P

Subject: online instruction

Attachments:

[View As Web Page](#)

Marlaina:

I have recently had complaints from students in the online classes that you are teaching, the primary one being that you are grading their work and mailing it to their homes rather than editing and grading the work online. Because the semester is so short the students are often not getting feedback on their writing before the next lesson is due and therefore are not able to incorporate your ideas and suggestions into their next papers. If you do not know how to edit papers online, please contact Mary Winter for a quick tutorial. This will save you and the students time. I expect that you will learn this process before you teach the two courses this fall.

Also, students have indicated that you are referring them to resources for editing and/or style guides but they are not sure where their errors are or what they are seeking. Please try to be more specific regarding your feedback to students online.

Since online feedback from students is rarely completed, we will be mailing student evaluations to all students taking online classes this summer. I am sure that you will get some helpful comments when the responses are returned.

I hope you enjoy the break between sessions.

Best regards,

Jean

Jean V. Kartje Ph.D.

Dean, Communication Arts, Humanities & Fine Arts

College of Lake County

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FOR ID., AS OF 10/5/09
 DEF EX NO 32
 Easton

COLLEGE OF LAKE COUNTY - FACULTY ABSENCE FORM

Name: MARILYN A EASTON

SS# _____

Date Submitted: 2/21/04

Department: COM ARTS

Number of Days/Hours Absent: 4 days

From: 2/14/05 Through: 2/17/05

Reason for Absence: Ill (multiple sclerosis)

Health 32.0 (☒) Special Leave _____ () Jury Duty _____ () Salary Deduction _____

Period Absent - Course & Section Number

108, sec. 3

121, sec. 30, 48, 51

Name of Substitute

Alice Donahue

Larry Starzec, Diane Williams, Mike

[Signature]
 Employee's Signature

[Signature] 2/25/05

Administrative Supervisor's Signature

Submit All Three Copies To The Human Resources Office -- Your Copy Will Be Returned

HUMAN RESOURCES OFFICE USE ONLY

As of 2-25-05 your attendance record balance(s), where applicable, are as follows:

Entered: CAC Health 336.0 Special Emergency Leave _____

Distribution: White - Personnel; Yellow - Supervisor; Pink - Employee

Effective: 04/20

COLLEGE OF LAKE COUNTY - FACULTY ABSENCE FORM

Name: MARILYN A EASTON Date Submitted: 4/5/04
 SS#
 Number of Days/Hours Absent: 1 Department: Com. Arts
 Reason for Absence: stuck @ airport From: 10 Through: 12/4/03
 Health () Special Leave () Jury Duty () Salary Deduction ()
 Period Absent - Course & Section Number 108 Name of Substitute

[Signature]
 Employee's Signature

[Signature]
 Administrative Supervisor's Signature

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HUMAN RESOURCES OFFICE USE ONLY

As of 4-9-04 your attendance record balance(s), where applicable, are as follows:

Entered: ap Health Special Emergency Leave 21.2

Distribution: White - Personnel; Yellow - Supervisor; Pink - Employee

COLLEGE OF LAKE COUNTY - FACULTY ABSENCE FORM

Name: MARLA INA EASTON Date Submitted: 6/29/04
 SS# Department: Comm Arts
 Number of Days/Hours Absent: 2.45 From: 9 Am Through: 11:45 PM
 Reason for Absence: Personal Problem
 Health () Special Leave 2.8 () Jury Duty () Salary Deduction ()
 Period Absent - Course & Section Number Eng 108 sec. 1 Name of Substitute

Ms. Marla Ina Easton
 Employee's Signature
Brian Conrad
 Administrative Supervisor's Signature

Submit All Three Copies To The Human Resources Office -- Your Copy Will Be Returned

HUMAN RESOURCES OFFICE USE ONLY

As of 7-19-04 your attendance record balance(s), where applicable, are as follows:

Entered: Op Health Special Emergency Leave 18.4 hrs

Distribution: White - Personnel; Yellow - Supervisor; Pink - Employee

Effective: 04/2000

21

Effective: 04/2000