



# Legal Document

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Illinois Central District Court  
Case No. 1:05-cv-01261-JBM-JAG  
**Campbell-Jackson et al v. Radisson Hotels & Resorts et al**

Document 1



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**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS**

<b>CARLA CAMPBELL-JACKSON,</b>	)	
<b>LISA CAMPBELL,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION</b>
	)	<b>NO.:</b> _____
<b>RADISSON HOTELS &amp; RESORTS,</b>	)	
<b>CARLSON HOTELS WORLDWIDE,</b>	)	
	)	<b>JURY DEMAND</b>
<b>Defendants.</b>	)	
_____	)	

**COMPLAINT**

Plaintiff Carla Campbell-Jackson (“Plaintiff Campbell-Jackson) and Plaintiff Lisa Campbell (“Plaintiff Campbell”) (collectively “Plaintiffs”), by and through undersigned counsel, for their causes of action against Defendants Radisson Hotels & Resorts (“Radisson”) and Carlson Hotels Worldwide (“Carlson”) (collectively Defendants will be referred to as “Radisson” or “Defendants”), state as follows:

**I. JURISDICTION AND VENUE**

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343.
2. Venue is proper in the Central District of Illinois pursuant to 28 U.S.C. § 1391.

**II. PARTIES**

3. **Carla Campbell-Jackson** is an Illinois resident and a United States Citizen. Mrs. Carla Campbell-Jackson is a member of a protected class, African-American.
4. **Lisa Campbell** is a Missouri resident and a United States Citizen. Ms. Campbell is a member of a protected class, African American.

5. **Radisson Hotels and Resorts** is a global hotel company, which operates, manages and franchises full-service hotels and resorts worldwide. Radisson Hotels & Resorts, with headquarters in Minneapolis, Minnesota, USA is one of the lodging brands of Carlson Hotels Worldwide. Radisson Hotels and Resorts operates the Radisson Hotel and Conference Center located in Bloomington, Illinois at 10 Brickyard Drive, Bloomington, Illinois 61701, where the events contained in this Complaint occurred.

6. **Carlson Hotels Worldwide** is based in Minneapolis, Minnesota, USA. Carlson operates five hotel chains with about 900 properties in 70 countries, including the Radisson Hotels and Resorts, which operates the Radisson Hotel and Conference Center located in Bloomington, Illinois at 10 Brickyard Drive, Bloomington Illinois 61701, where the events described in this Complaint occurred.

7. Carlson is a division of leisure conglomerate Carlson Companies. Carlson-related brands and services employ about 190,000 people in more than 140 countries. Carlson is part of Carlson Hospitality Worldwide which is one of the primary operating groups of Carlson Companies, Inc., one of America's largest privately-owned corporations.

### **III. PROCEDURAL HISTORY**

8. Plaintiff Campbell-Jackson filed a Charge of Discrimination, No. 2002SP0372, with the State of Illinois Department of Human Rights (“DHR”) on or about January 15, 2002.

9. On or about April 10, 2003, following a July 13, 2002 Fact Finding Conference, the DHR presented parties with a Notice of Dismissal for Lack of Substantial Evidence.

10. Plaintiff Campbell-Jackson appealed for a review of this dismissal with the Chief Legal Counsel and, on or about December 1, 2003, received an Order vacating the Department’s Notice of Dismissal and a finding of “Substantial Evidence” was entered.

11. Following the entry of this Order, Karen D. Wallace (“Attorney Wallace”), a staff attorney at the DHR, issued a Complaint of Civil Rights Violation on December 17, 2003.

12. Upon review of the evidence, Attorney Wallace’s Complaint requested an Order in favor of Plaintiff Campbell-Jackson providing the following relief:

- a. The full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of Radisson to Plaintiff Campbell-Jackson;
- b. Radisson pay Plaintiff Campbell-Jackson a sum equal to any damages she may have suffered as a result of the civil rights violation committed against her by Radisson;
- c. Radisson pay Plaintiff Campbell-Jackson a sum equal to the damage she may have suffered because of embarrassment, humiliation, insult and emotional injury arising from the civil rights violation alleged herein;
- d. Radisson cease and desist from discriminating on the basis of race;
- e. Pay Plaintiff Campbell-Jackson reasonable attorney’s fees and costs incurred as a result of the civil rights violation alleged here; and
- f. Terminate all public contracts with the State of Illinois held by Radisson.

13. Parties have engaged in discovery and dispositive motions through the DHR and currently await a decision from the DHR regarding these pleadings.

#### **IV. STATEMENT OF FACTS**

14. Plaintiffs were patrons of the Radisson Hotel and Conference Center in Bloomington, Illinois during the weekend of September 15-16, 2001.

15. On Saturday, September 15, 2001 Plaintiff Campbell-Jackson’s sorority, Alpha Kappa Alpha, held its annual “Women’s Forum” conference at a banquet facility at the Radisson. Plaintiff Campbell-Jackson, the chairperson for this event, was responsible for planning and organizing the significant aspects of the function.

16. On the day of the forum, Plaintiffs had reserved rooms to stay overnight at the Radisson.

17. During the course of their stay, Plaintiffs were denied proper service as well as appropriate public accommodations.

18. After leaving the hotel on September 16, 2001, Plaintiff Campbell-Jackson retrieved a voicemail message left by Angie Prang (“Ms. Prang”), Director of Catering at the Radisson.

19. The voicemail message contained a racially derogatory conversation in which hostile, racially prejudiced comments were made about Plaintiff Campbell-Jackson, African-Americans and Plaintiff Campbell-Jackson’s predominately African-American sorority.

20. Defendants’ discriminatory misconduct includes, but is not limited to, the following: (a) denying African-American patrons access to the hotel at a level comparable to the access given to white patrons; (b) denying African-American patrons proper accommodations services, on the basis of race of color; (c) expressing racially hostile remarks about African-Americans in a taped conversation; and (d) facilitating a work environment conducive to racial hostility.

**A. Denial of Comparable/Proper Access**

21. On the morning of Saturday, September 15, 2001, after previously arranging for an early check-in with Ms. Prang, Plaintiff Campbell-Jackson and her sister, Plaintiff Campbell, were met with hostility and resistance from a white desk clerk at the Radisson.

22. Specifically, when attempting to check-in, Plaintiffs were abruptly told by the white desk clerk that there were no rooms available.

23. Upon returning from the parking area with their confirmation number(s), Plaintiffs overheard the same desk clerk telling a white male patron that there were indeed plenty of rooms available.

24. When Plaintiff Campbell-Jackson questioned the desk clerk about the statements she had just made to the white male patron, she gave no response and tossed Plaintiffs' room access key-cards onto the counter.

**B. Denial of Proper Accommodations**

25. Plaintiffs continued to experience poor service throughout their stay at the Radisson. Specifically, when Plaintiff Campbell requested additional towels for her room, the desk clerk on duty claimed there were no towels available for her room.

26. Plaintiff Campbell again requested additional towels following the Women's Forum. After a lengthy delay and verbal resistance from the desk clerk, she received towels in response to her multiple requests.

27. Plaintiff Campbell-Jackson also requested additional towels for her room and experienced the same delays and resistance from the staff of the Radisson.

28. After an extensive wait, Plaintiff Campbell-Jackson left the hotel and returned to her home to retrieve her personal towels for use at the hotel. Plaintiff Campbell-Jackson never received the towels that she requested.

29. Moreover, throughout Alpha Kappa Alpha's Women's Forum on Saturday, September 15, 2001, Plaintiff Campbell, several African-American attendees, including sorority member, Karen Ross, were subjected to poor service and rude treatment by the staff of the Radisson.

30. Specifically, during the meal service, the white banquet servers were hostile and expressed ill will towards the attendees. Attendees who placed requests with their white server experienced extreme resistance and noticeable resentment from the white wait staff at the Radisson.

31. Many requests were left unfulfilled. In the few instances where the attendees' requests were granted, the wait staff proceeded to toss condiments and silverware onto the tables of the attendees.

32. At the conclusion of the Women's Forum, complaints were expressed to the Director of Catering, Ms. Prang. Despite Ms. Prang's apparent concern and anxiety, no action was ever taken to address the complaints of the attendees regarding the substandard service they received.

**C. Recorded Racist Comments in a Conversation at the Radisson**

33. After checking out of the Radisson and returning home, Plaintiff Campbell-Jackson retrieved a message from Ms. Prang which had been left prior to the September 15<sup>th</sup> "Women's Forum."

34. This message also included a conversation which had inadvertently recorded between Ms. Prang, Kathryn Novander, white catering manager ("Ms. Novander"), and, in part, Debbie Haney-Kath, a white catering manager.

35. During this conversation, Ms. Prang and Ms. Novander made racially derogatory remarks about Plaintiff Campbell-Jackson and her predominately African-American sorority.

36. The conversation includes statements made by Ms. Prang and Ms. Novander that reveal their prejudice against African-Americans and intentions to keep Plaintiff Campbell-

Jackson and other African-American patrons from returning to the hotel. The recorded message specifically reveals the statement, “I hate colored people. We’ll keep ‘em from coming back.”

37. The conversation also records Ms. Prang saying of Plaintiff Campbell-Jackson’s sorority, “Yeah. Well...and it’s all Black. You know what I mean? It’s all Black. It’s not like there are any white people in this sorority.”

38. The tape further reveals that Ms. Prang stated, “...I know, with no doubt, that there’s going to be problems. I know it! That’s why I said... I told Brian (Brian Norton, Banquet Manager)... I’m going to tell her (Plaintiff Campbell-Jackson) first off that they can’t come back. Because I know that she will try to book it for next year and they can’t go anywhere that’s this cheap and this nice of a place.”

39. Further, Ms. Prang mimicked Plaintiff Campbell-Jackson’s voicemail message and Ms. Novander joked about her tone, enunciation and diction.

40. Documents produced by Radisson indicate that Ms. Novander stated that when Plaintiff Campbell-Jackson spoke she sounded as if she was “was trying to get out of the ghetto.” Further, Ms. Novander admitted to making these comments during her deposition taken on September 14, 2004.

**D. Facilitating an Environment Conducive to Racial Hostility**

41. After retrieving the message, Plaintiff Campbell-Jackson proceeded to contact Mr. Dan Hance (“Mr. Hance”), General Manager at the Radisson in Bloomington from approximately October 1998 until September 2002.

42. Mr. Hance apologized for the behavior of the employees but did not notify Plaintiff Campbell-Jackson of any disciplinary action taken against Ms. Prang.

43. Ms. Prang and Ms. Novander later offered brief apologies to Plaintiff Campbell-Jackson for the contents of the message.

44. Plaintiff Campbell-Jackson also submitted a written complaint to Carlson Customer Service through the hotel's website. Although Plaintiff Campbell-Jackson requested that someone from the corporate offices contact her about her experiences at the Radisson in Bloomington, she was never contacted by anyone to address her concerns.

45. Further, Radisson did not document any disciplinary action against Ms. Prang.

46. Ms. Novander was never verbally counseled about her racist, derogatory comments made about Plaintiff Campbell-Jackson in September 2001. Moreover, Ms. Novander was later promoted to a higher ranking position within the Catering department.

47. During his deposition on September 2004, Mr. Hance admitted that while he worked as General Manager with the Radisson he had heard his staff making racist jokes.

48. Mr. Hance also admitted during his deposition that he had never disciplined *any* employee for making racist comments.

49. Moreover, prior to the incident with Plaintiffs, the Radisson in Bloomington had not held any diversity training for its employees.

50. The Radisson began a diversity training program through Heartland Community College in December 2001.

51. However, when employees of the Radisson were asked during their depositions to recall the content of this training during depositions, no employee who attended could recall even one item discussed in those training sessions.

**V. CAUSES OF ACTION**

**COUNT I**  
**(Violation of 42 U.S.C. § 1981)**  
**SECTION 1981**  
**(PLAINTIFF CAMPBELL-JACKSON)**

52. Plaintiff Campbell-Jackson realleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph above, as if set forth fully herein.

53. This claim alleging a practice of discrimination against African-Americans is brought on behalf of Plaintiff Campbell-Jackson.

54. By the actions described above, Defendants have denied Plaintiff Campbell-Jackson the same right to make and enforce contracts as is enjoyed by white citizens of the United States, as well as the enjoyment of all benefits, privileges, terms and conditions of that relationship, in violation of the Civil Rights Act of 1866, 42 U.S.C. § 1981, as amended.

55. In the business practices described above, Defendants intentionally engaged in discriminatory practices with malice or with reckless indifference to the federally protected rights of Plaintiff Campbell-Jackson, entitling Plaintiff Campbell-Jackson to punitive damages.

56. Defendants' conduct in violation of § 1981 has injured and damaged Plaintiff Campbell-Jackson.

57. Plaintiff Campbell-Jackson has suffered harm, including but not limited to, humiliation, embarrassment, emotional and physical distress, and mental anguish.

58. By reason of Defendants' discrimination, Plaintiff Campbell-Jackson is entitled to all legal and equitable remedies available for violations of § 1981, including an award of punitive damages.

59. Attorneys' fees should be awarded under § 1981, *et seq.*

**COUNT II**  
**(Violation of 42 U.S.C. § 1981)**  
**SECTION 1981**  
**(PLAINTIFF CAMPBELL)**

60. Plaintiff Campbell realleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph above, as if set forth fully herein.

61. This claim alleging a practice of discrimination against African-Americans is brought on behalf of Plaintiff Campbell.

62. By the actions described above, Defendants have denied Plaintiff Campbell the same right to make and enforce contracts as is enjoyed by white citizens of the United States, as well as the enjoyment of all benefits, privileges, terms and conditions of that relationship, in violation of the Civil Rights Act of 1866, 42 U.S.C. § 1981, as amended.

63. In the business practices described above, Defendants intentionally engaged in discriminatory practices with malice or with reckless indifference to the federally protected rights of Plaintiff Campbell, entitling Plaintiff Campbell to punitive damages.

64. Defendants' conduct in violation of § 1981 has injured and damaged Plaintiff Campbell.

65. Plaintiff Campbell has suffered harm, including but not limited to, humiliation, embarrassment, emotional and physical distress and mental anguish.

66. By reason of Defendants' discrimination, Plaintiff Campbell is entitled to all legal and equitable remedies available for violations of § 1981, including an award of punitive damages.

67. Attorneys' fees should be awarded under § 1981, *et seq.*

**COUNT III**  
**(Violation of 42 U.S.C. § 2000a)**  
**TITLE II**  
**(PLAINTIFF CAMPBELL-JACKSON)**

68. Plaintiff Campbell-Jackson realleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph above, as if set forth fully herein.

69. This claim alleging a practice of discrimination against African-Americans is brought on behalf of Plaintiff Campbell-Jackson.

70. The Radisson Bloomington owned, operated and controlled by Radisson Hotels and Resorts is a “place of public accommodations” within meaning of 42 U.S.C. § 2000a(b)(2).

71. The operations of Radisson, operated and controlled by Radisson Hotels and Resorts “affect commerce” within the meaning of 42 U.S.C. § 2000(c)(2).

72. By their actions described above, Defendants have denied Plaintiff Campbell-Jackson the full and equal enjoyment of their goods, services, facilities, privileges, advantages and accommodations on the basis of race, in violation of 42 U.S.C. § 2000a.

**COUNT IV**  
**(Violation of 42 U.S.C. § 2000a)**  
**TITLE II**  
**(PLAINTIFF CAMPBELL)**

73. Plaintiff Campbell realleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph above, as if set forth fully herein.

74. This claim alleging a practice of discrimination against African-Americans is brought on behalf of Plaintiff Campbell.

75. The Radisson Bloomington owned, operated and controlled by Radisson Hotels and Resorts is a “place of public accommodations” within meaning of 42 U.S.C. § 2000a(b)(2).

76. The operations of Radisson, operated and controlled by Radisson Hotels and Resorts “affect commerce” within the meaning of 42 U.S.C. § 2000(c)(2).

77. By their actions described above, Defendants have denied Plaintiff Campbell the full and equal enjoyment of their goods, services, facilities, privileges, advantages and accommodations on the basis of race, in violation of 42 U.S.C. § 2000a.

**COUNT V**  
**VIOLATIONS OF ILLINOIS HUMAN RIGHTS ACT**  
**Ill. Code Ann. §§ 775 ILCS 5/1-101 et seq.**  
**PUBLIC ACCOMMODATIONS**  
**(PLAINTIFF CAMPBELL-JACKSON)**

78. Plaintiff Campbell-Jackson realleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph above, as if set forth fully herein.

79. The conduct of Defendants described in this complaint constitutes unlawful discriminatory practices in violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.

80. Plaintiff Campbell-Jackson is an “aggrieved party” as defined in Section 2-103(B) of the Illinois Human Rights Act.

81. Radisson is a place of “public accommodation” as defined in Section 5-101(A) of the Illinois Human Rights Act.

82. The conduct of Defendants constitutes “unlawful discrimination” as defined in Section 1-103(Q) of the Illinois Human Rights Act.

83. Defendants discriminated against Plaintiff Campbell-Jackson by denying or refusing to Plaintiff the full and equal enjoyment of the facilities and services of Defendants.

84. Defendants' violation of the Illinois Human Rights Act directly and proximately caused Plaintiff Campbell-Jackson to suffer humiliation, embarrassment and great emotional distress for which she claims compensatory and punitive damages from Defendants.

85. Defendants' conduct in violation of violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq. has injured and damaged Plaintiff Campbell-Jackson.

86. Plaintiff Campbell-Jackson has suffered harm, including but not limited to humiliation, embarrassment, emotional and physical distress and mental anguish.

87. By reason of Defendants' discrimination, Plaintiff Campbell-Jackson is entitled to all legal and equitable remedies available for violations of violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., including an award of punitive damages.

88. Attorneys' fees should be awarded under the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.

**COUNT VI**  
**VIOLATIONS OF ILLINOIS HUMAN RIGHTS ACT**  
**Ill. Code Ann. §§ 775 ILCS 5/1-101 et seq.**  
**PUBLIC ACCOMMODATIONS**  
**(PLAINTIFF CAMPBELL)**

89. Plaintiff Campbell realleges and incorporates by reference each and every allegation contained in each and every aforementioned paragraph above, as if set forth fully herein.

90. The conduct of Defendants described in this complaint constitutes unlawful discriminatory practices in violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.

91. Plaintiff Campbell is an "aggrieved party" as defined in Section 2-103(B) of the Illinois Human Rights Act.

92. Radisson is a place of “public accommodation” as defined in Section 5-101(A) of the Illinois Human Rights Act.

93. The conduct of Defendants constitutes “unlawful discrimination” as defined in Section 1-103 (Q) of the Illinois Human Rights Act.

94. Defendants discriminated against Plaintiff Campbell by denying or refusing to Plaintiff the full and equal enjoyment of the facilities and services of Defendants.

95. Defendants’ violation of the Illinois Human Rights Act directly and proximately caused Plaintiff Campbell to suffer humiliation, embarrassment and great emotional distress for which she claims compensatory and punitive damages from Defendants.

96. Defendants’ conduct in violation of violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq. has injured and damaged Plaintiff Campbell.

97. Plaintiff Campbell has suffered harm, including but not limited to humiliation, embarrassment, emotional and physical distress, and mental anguish.

98. By reason of Defendants’ discrimination, Plaintiff Campbell is entitled to all legal and equitable remedies available for violations of violation of the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., including an award of punitive damages.

99. Attorneys’ fees should be awarded under the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.

**VI. PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully prays that the Court:

- a. declare and adjudge that Defendants have violated Plaintiffs’ rights under Title II;
- b. declare and adjudge that Defendants have violated Plaintiffs’ rights under Section 1981;

- c. declare and adjudge that Defendants have violated Plaintiffs' rights under the Illinois Human Rights Act, Ill. Code Ann. §§ 775 ILCS 5/1-101 et seq.;
- d. award Plaintiffs compensatory damages;
- e. award Plaintiffs punitive damages;
- f. award Plaintiffs the costs of this action and reasonable attorneys' fees;
- g. award Plaintiffs pre-judgment and post-judgment interest on the foregoing sums; and
- h. award Plaintiffs such other relief as the Court deems just and proper.

Respectfully submitted this 6th day of September, 2005.

\_\_\_\_\_  
/s/  
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