

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS**

SAMANTHA MCLEAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 16-1502
)	
SUCCESSWARE INC.,)	
)	
Defendants.)	

ORDER AND OPINION

This matter is now before the Court on Plaintiff’s Motion [2] for Leave to Proceed *in forma pauperis*. For the reasons set forth below, Plaintiff’s Motion [2] is GRANTED.

DISCUSSION

When confronted with a motion for leave to proceed *in forma pauperis*, the Court must make two determinations. First, the Court must determine whether the plaintiff is truly unable to pay the filing fee associated with the case. Second, the Court must determine whether the Complaint is frivolous or malicious. In her Motion, Plaintiff McLean states that she receives Social Security Disability Insurance benefits for her and her dependent(s) in the amount of \$2000 per month. Plaintiff further states that she does not have any cash or funds in a checking or savings account, and that her monthly expenses total approximately \$1900, and she has two daughters and a grandson dependent on her for support. Given this information, the Court finds Plaintiff has satisfied the financial requirements to proceed *in forma pauperis*.

Plaintiff’s Complaint alleges that Defendant Successware discriminated against Plaintiff on the basis of her sex on or around November 20, 2013. Specifically, Plaintiff alleges that she was sexually harassed and was denied a bonus given to other employees before she was

terminated a week later. Plaintiff filed a charge before the United States Equal Employment Opportunity Commission and she received a Right to Sue Notice dated September 26, 2016. Accordingly, the Court finds that Plaintiff's Complaint is not frivolous or malicious and grants her Motion for Leave to Proceed *in forma pauperis*. This case will be consolidated with Plaintiff's related lawsuit, *McLean v. Troublefree Heating & Cooling, Inc.*, No. 16-1501 (C.D. Ill. Dec. 30, 2016), for purposes of discovery and pretrial proceedings.

CONCLUSION

For the reasons stated above, Plaintiff's Motion [2] is GRANTED. The Clerk of Court is directed to file the Complaint and prepare the documentation for service of the Complaint by the U.S. Marshal's Office.

Signed on this 17th day of January, 2017.

s/ James E. Shadid
James E. Shadid
Chief United States District Judge