

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

NANCY TARTT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 09 C 6517
	)	
HURON CONSULTING GROUP, INC.,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

Counsel for Nancy Tartt ("Tartt") has filed a Complaint for Equitable Relief charging that she has been the victim of race-based employment discrimination (Tartt is African-American) at the hands of her employer Huron Consulting Group, Inc. ("Huron"). Although this Court is contemporaneously issuing its customary initial scheduling order, this memorandum order is occasioned by one problematic aspect of the Complaint.

Under the caption "Facts," Complaint ¶(12) discloses that Tartt has not yet received a right-to-sue letter from EEOC. Such a letter is of course a precondition to the institution of any Title VII lawsuit, so that Complaint Count I (which seeks to invoke Title VII) would currently be subject to dismissal as premature. But because Count II, which asserts a claim under 42 U.S.C. §1981 ("Section 1981"), contains no such precondition and is accordingly properly assertable at this time,<sup>1</sup> the lawsuit

---

<sup>1</sup> No substantive ruling is made or implied here as to the viability of a Section 1981 claim.

itself is still alive.

Hence no dismissal order or partial dismissal order will be entered at this time. Instead Tartt's counsel is ordered to obtain and provide the necessary right-to-sue letter in the immediate future, so that this action may continue in its entirety.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive style with a large initial "M".

---

Milton I. Shadur  
Senior United States District Judge

Date: October 20, 2009