

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

<b>ELAINE J. LEE, Ed.D.,</b>	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 16 C 7528
	)	
<b>SCOTT NASATIR, et al.,</b>	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

On July 25, 2016 plaintiff Elaine Lee ("Lee") filed a self-prepared Complaint charging four defendants with employment discrimination under Title VII in connection with her employment as a school psychologist for the Melrose Park School District 89 in Melrose Park, Illinois. This Court promptly issued a brief July 28 memorandum order ("Order," a copy of which is attached) that, although it also reflected the contemporaneous issuance of this Court's customary initial scheduling order, pointed primarily to Lee's omission of the EEOC right-to-sue letter that had been described by Complaint ¶ 8 as its attached Ex. 2 but was missing from Lee's filing.

Lee has now complied with the Order by the submission of an August 5 filing that comprises a hand-printed note and a copy of the EEOC Dismissal and Notice of Rights. But that right-to-sue letter, sent to Lee at the street address in Montgomery, Illinois that she had listed in her original Charge of Discrimination, was dated March 31, 2016, so that Lee had not filed this

action until more than three weeks had elapsed beyond the 90-day deadline specified in the right-to-sue letter:<sup>1</sup>

**- NOTICE OF SUIT RIGHTS -**

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

There is really no arguable justification for that delay. Lee's self-prepared Complaint describes herself as possessing a Doctor's degree in education, and (quite understandably) she is wholly articulate in spelling out the nature of her claim. She is plainly not an unlettered nonlawyer who might conceivably have some excuse for not reading, or not having understood after reading, the plain language of the Notice of Suit Rights as spelled out in the right-to-sue letter.

Accordingly both Lee's Complaint and this action are dismissed in accordance with the right-to-sue letter's forecast that unless suit would be filed within 90 days of Lee's receipt of the notice, her "right to sue based on this charge will be lost." This dismissal also vacates the previously-set 9 a.m. September 16, 2016 status hearing date.



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Milton I. Shadur  
Senior United States District Judge

Date: August 10, 2016

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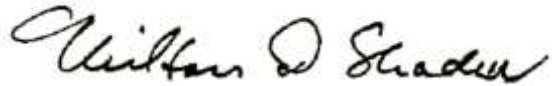
<sup>1</sup> What follows in the text reproduces the Notice of Suit Rights in its original form, including the portions in boldface type, the portions in all-capital-letter form and the underscoring for emphasis.

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Plaintiff,	)	
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v.	)	Case No. 16 C 7528
	)	
<b>SCOTT NASATIR,</b>	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Elaine Lee ("Lee") has filed a self-prepared Complaint charging four defendants with employment discrimination under Title VII in connection with her employment as a school psychologist for the Melrose Park School District 89 in Melrose Park, Illinois. Although this Court is contemporaneously issuing its customary initial scheduling order in the case, its printout of Lee's Complaint (Dkt. No. 1) includes only its Ex. 1 (her EEOC Charge of Discrimination, shown as "page 8 of 8") but not EEOC's right-to-sue letter, which Complaint ¶ 8 mistakenly alleges "is attached as Exhibit 2." Accordingly Lee is ordered (1) to file the missing Ex. 2 (with a direction to the Clerk's Office that identifies it as part of this Case No. 16 C 7528) and also (2) to send a copy of that Exhibit directly to this Court's chambers, as required by District Court LR 5.2(f).



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Milton I. Shadur  
Senior United States District Judge

Date: July 28, 2016

ATTACHMENT