

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.	AGENCY <input checked="" type="checkbox"/> IDHR	CHARGE NUMBER
	<input type="checkbox"/> EEOC	

Illinois Department of Human Rights and EEOC

NAME OF COMPLAINANT (indicate Mr. Ms. Mrs.) [REDACTED]	TELEPHONE NUMBER (include area code) [REDACTED]
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STREET ADDRESS [REDACTED]	CITY, STATE AND ZIP CODE [REDACTED]	DATE OF BIRTH [REDACTED] / [REDACTED] / [REDACTED] M D YEAR
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NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)

NAME OF RESPONDENT Chick-fil-A Restaurant	NUMBER OF EMPLOYEES, MEMBERS 15+	TELEPHONE (Include area code) 866-232-2040
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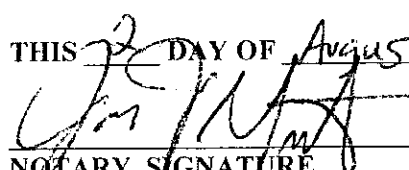
STREET ADDRESS PO BOX 500367, Atlanta GA 31150	CITY, STATE AND ZIP CODE	COUNTY
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CAUSE OF DISCRIMINATION BASED ON: Public Accommodations under 775 ILCS 5/5-102(B) based upon sexual orientation and marital status	DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL) <input checked="" type="checkbox"/> CONTINUING ACTION
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THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:

SEE ATTACHED

Page 1 of

I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	SUBSCRIBED AND SWORN TO BEFORE ME THIS <u>22</u> DAY OF <u>August</u> , <u>2012</u> .  NOTARY SIGNATURE
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 NOTARY STAMP	 SIGNATURE OF COMPLAINANT DATE I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief
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STATE OF ILLINOIS
ILLINOIS DEPARTMENT OF HUMAN RIGHTS

CHICAGO OFFICE
DEPARTMENT OF HUMAN RIGHTS
100 W. RANDOLPH ST., SUITE 10-100
CHICAGO, ILLINOIS 60601
(312) 814-6200
(217) 785-5125 TTY

SPRINGFIELD OFFICE
DEPARTMENT OF HUMAN RIGHTS
222 S. COLLEGE, ROOM 101
SPRINGFIELD, ILLINOIS 62704
(217) 785-5100
(217) 785-5125 TTY

CHARGE NO: _____
CHARGE OF DISCRIMINATION

COMPLAINANT

Name [REDACTED]
Address [REDACTED]
City, State, ZIP [REDACTED]
Telephone Number [REDACTED]

I believe that I have been personally aggrieved by a civil rights violation committed on
(date/s of harm: ongoing as recently as July 16, 2012), by:

RESPONDENT

Name Chick-fil-A Restaurant
Address PO BOX 500367
County
City, State, ZIP Atlanta GA 3115
Telephone Number 866-232-2040

The particulars of the alleged civil rights violation are as follows:

SEE ATTACHED

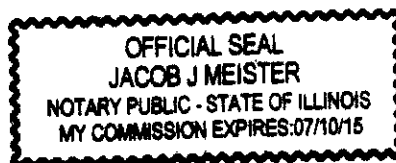
I, [REDACTED], on oath or affirmation state that I am the Complainant herein,
that I have read the foregoing charge and know the contents thereof, and that the same is true
and correct to the best of my knowledge.

[REDACTED SIGNATURE]
Complainant's Signature and Date

Subscribed and Sworn to

Before me this ^{2nd} August day
of August, 2012.

[REDACTED SIGNATURE]
Notary Public Signature



Notary Stamp

Claims of Public Accommodation Discrimination

A. ISSUES/BASIS

Public Accommodations under 775 ILCS 5/5-102(B) – Direct and indirect publication of a nationwide corporate policy conveying to non-Christians, homosexuals and unmarried individuals who are in “non-traditional” family units that they are unwelcome, objectionable and unacceptable at restaurants operated and licensed by Chic-fil-A.

B. PRIMA FACIE ALLEGATIONS

1. I am a homosexual male.
2. I am not married.
3. I am Christian.
4. I live with my male partner and daughter in a “non-traditional” family unit.
5. Chick-fil-A operates and/or licenses over 1600 restaurants in the United States, fourteen (14) of which are in Illinois, including the following three restaurants in Cook County, Illinois:
 - a. 30 E Chicago Avenue, Chicago, IL 60611;
 - b. 15605 S La Grange Road, Orland Park, IL 60462 and
 - c. 935 E. Golf Road, Schaumburg, IL 60173.
6. Although I would like to be treated equally and with dignity and respect at Chick-fil-A restaurants, the company’s widely published corporate philosophy, culture and policies make clear to me that as an unmarried homosexual in a “non-traditional” family unit, I am inferior to married heterosexuals and therefore, unwelcome, objectionable and unacceptable to Chick-fil-A.
7. The repeated published statements of corporate philosophy, policies and culture have been made by Chick-fil-A’s corporate officers, including its COO, Dan Cathy; have been ongoing for many years; and have been re-published as recently as July 16, 2012.
8. Most recently, on or about July 16, 2012, the COO of Chic-fil-A made the following public statements about Chick-fil-A’s corporate philosophy, policy and culture to the press with the knowledge and intent that those statements would be published in writing and widely broadcast to would-be customers of Chick-fil-A restaurants:

- (a) "[A]s an organization we operate on biblical principles. So that is what we claim to be. [We are] based on biblical principles..."
 - (b) "We are very much supportive of...the biblical definition of the family unit. We are a family-owned business, a family-led business, and we are married to our first wives. We give God thanks for that."
 - (c) Chick-fil-A's mission is "to take biblical truth and put skin on it. ... We're talking about how our performance in the workplace should be the focus of how we build respect, rapport and relationships with others that opens the gateway to interest people in knowing God."
 - (d) "All throughout the New Testament there is an evangelism strategy related to our performance in the workplace. ... Our work should be an act of worship. Our work should be our mission field."
 - (e) "[W]e are inviting God's judgment on our nation when we shake our fist at him and say, 'We know better than you as to what constitutes a marriage.'"
9. As a result of the foregoing published statements regarding Chick-fil-A's corporate philosophy, culture and policies, as an unmarried homosexual in a "non-traditional" family unit, I know that my family and I are looked down upon, loathed, unwelcome, objectionable and unacceptable to Chick-fil-A.
 10. Each of Chick-fil-A's licensees, including the licensees which are named as respondents have contractually agreed to follow, comply with and refrain from rejecting the statements of corporate policy and "values" as stated by Chick-fil-A's COO, Dan Cathy.
 11. Each of Chick-fil-A's licensees, including the licensees which are named as respondents have contractually agreed to be part of the Chick-fil-A "brand" and "values" as determined and dictated by the Chick-fil-A licensor.
 12. Despite being given adequate opportunity or being asked, the Chick-fil-A licensees located in Chicago, Orland Park and Schaumburg have refused to distance themselves from or otherwise repudiate the "values" and statements of corporate policy made by Chick-fil-A's COO, Dan Cathy.
 13. On belief, as licensees of Chick-fil-A, each of the local owners have entered into contracts with Chick-fil-A which require them to adhere to and refrain from contradicting Chick-fil-A's "values" and corporate policies and philosophy, including, but not limited to the statements of policy and philosophy set forth in Paragraph 9, above.

14. I do not believe that it is possible for me to eat at Chick-fil-A without being discriminated against simply because I am an unmarried homosexual in a "non-traditional" family unit.
15. Beginning in February 2012, Chick-fil-A has adamantly denied repeated requests from Chicago Alderman Proco "Joe" Moreno and The Civil Rights Agenda to adopt and publish a broad non-discrimination policy which includes a prohibition on discrimination against anyone because of marital status, gender identity or sexual orientation in all aspects of employment and public accommodations.
16. Chick-fil-A's adamant refusal to adopt a basic non-discrimination policy further evidences the discriminatory motives and intent of its corporate policies, philosophy and culture.
17. In violation of 775 ILCS 5/5-102(B), as a result of Chick-fil-A's corporate policies which have been both directly and indirectly published by the company's executive officers, I am being denied a public accommodation free from discrimination against me.



Today's Date: 08/01/2012

1. PERSONAL INFORMATION:

NAME:	ADDRESS:	APT #:
CITY:	STATE:	ZIP:
E-MAIL:	ALT. PHONE #:	ALT. PHONE#:

2. PERSONAL DATA: Please provide the following information for statistical purposes only:

DATE OF BIRTH: SEX:

CHECK THE CATEGORY IN THE LIST BELOW OF NATIONAL ORIGIN OR ANCESTRY WITH WHICH YOU MOST STRONGLY IDENTIFY:

Greece = B	Haiti = T	India = N	Ireland = I
Italy = Y	Japan = J	Korea = A	Liberia = R
Mexico = M	Middle East = L	Pakistan = K	Philippines = S
Poland = O	Puerto Rico = P	U.S.A. = U	Vietnam = V
Other African/ Non Arab = F	Other East Asia = W	Other Eastern Europe = E	Other Hispanic = H
Other = Z	Specify:		

3. ALTERNATE CONTACT INFORMATION: Provide the names of two persons who can contact you in the event this office is unable to locate you. Make sure their mailing addresses are different from your mailing address. Your charge could be dismissed if you do not provide this information and we are unable to locate you.

NAME:	ADDRESS:	APT #:
CITY:	STATE:	ZIP:
NAME:	ADDRESS:	APT #:
CITY:	STATE:	ZIP:

4. RESPONDENT INFORMATION: Write out the full legal name of the place of public accommodation or organization (i.e. the Respondent), that you believe discriminated against you in Illinois.

NAME:	ADDRESS:
CITY:	STATE:
	ZIP:
	COUNTY:
	PHONE#:

CHECK THE TYPE OF RESPONDENT THAT DISCRIMINATED AGAINST YOU IN ILLINOIS:

Airline/Bus/Train	Restaurant/Bar	Grocery Store	Health Club	Hotel/Motel	Park/Place of Recreation
Theater	Professional Office/Public Official	Other:			
Government Agency:	Federal	State	County	City	Specify:

OFFICE USE ONLY	CONTROL NUMBER:	INVESTIGATOR INITIALS:

5. DESCRIPTION OF THE ISSUES AND BASES THE IDHR IS BEING REQUESTED TO INVESTIGATE:			
In the spaces below, please indicate each issue (harm) and basis (type of discrimination) which you would like the Department to investigate. Note: The bases (types of discrimination) which the Department can investigate are listed on page 2 of this form. Some common issues (harms) are: Denied or refused equal enjoyment, goods or services of a facility. Denied service based on the use of a guide, hearing, or support dog. Lack of disability parking. Inaccessible entrance/restrooms. Inaccessible route from entrance to the area where goods or services are provided. Please take your time and complete <u>all</u> the information requested for <u>each</u> issue and basis alleged, so we can serve you better. Fill in a separate section for each issue and basis.			
A. FIRST ISSUE OF HARM OR ACTION TAKEN AGAINST YOU BY RESPONDENT:			
Public Accommodation Discrimination		DATE OF ACTION:	
BASIS: Note: See Page 2 for the Bases IDHR can investigate. Sexual Orientation and Marital Status		07/16/2012	
REASON GIVEN BY RESPONDENT FOR THE ACTION TAKEN AGAINST YOU: see attached			
EXPLAIN WHY YOU FEEL DISCRIMINATED AGAINST BECAUSE OF THE BASIS IDENTIFIED ABOVE: see attached			
HOW OTHERS IN YOUR SITUATION WERE TREATED: married non-homosexuals are openly welcome and praised for being "traditionally" married			
B. SECOND ISSUE OF HARM OR ACTION TAKEN AGAINST YOU BY RESPONDENT (if applicable):			
BASIS: Note: See Page 2 for the Bases IDHR can investigate.		DATE OF ACTION:	
REASON GIVEN BY RESPONDENT FOR THE ACTION TAKEN AGAINST YOU:			
EXPLAIN WHY YOU FEEL DISCRIMINATED AGAINST BECAUSE OF THE BASIS IDENTIFIED ABOVE:			
HOW OTHERS IN YOUR SITUATION WERE TREATED:			
6. WITNESS INFORMATION AND SUPPORTING DOCUMENTS:			
NAME:	PHONE:	NAME:	PHONE:
ADDRESS:		ADDRESS:	
CITY/STATE/ZIP		CITY/STATE/ZIP	
Do you have any documents to support your claim of discrimination?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
7. SPECIAL BASES:			
A. If you claimed PHYSICAL OR MENTAL DISABILITY as a basis:			
STATE YOUR MEDICALLY DIAGNOSED DISABILITY(-IES):			
EXPLAIN HOW THE RESPONDENT BECAME AWARE OF EACH DISABILITY:			
STATE WHETHER YOU REQUESTED ANY FORM OF ACCOMMODATION AND RESPONDENT'S RESPONSE:			
B. If you claimed RETALIATION as a basis:			
STATE HOW YOU OPPOSED UNLAWFUL DISCRIMINATION: (i.e., testified at a discrimination hearing, filed a prior discrimination claim, or complained about unlawful discrimination). Include dates, charge numbers, and/or the name or title of the person to whom you complained			
8. PREVIOUS FILINGS:			
Have you filed a previous charge against this respondent with IDHR?		Have you filed a charge regarding this situation with any other agency?	
YES <input type="checkbox"/>	CHARGE NUMBER:	DATE FILED:	WHAT AGENCY AND WHEN?
NO <input checked="" type="checkbox"/>			

IDHR Notice of Accessibility: IDHR's programs are accessible to persons with disabilities in compliance with the ADA and Sec. 504 of the Rehabilitation Act of 1973. A person with a disability needing an accommodation to participate in IDHR programs should contact Susan Allen, the ADA Coordinator, at 217-785-5119, 217-785-5106 (fax), 866-740-3953 (TTY) or e-mail susan.allen@illinois.gov.

Instructions: Read this entire form and all the instructions carefully before completing. All questions should be answered. This form must be postmarked or received by the IDHR within 180 days of the date of the alleged discrimination. The IDHR must establish if it has the right under the law to investigate your public accommodations discrimination claim. If the IDHR accepts your claim of public accommodations discrimination, information will be typed on an official charge form. The charge form must be signed, notarized and returned to the IDHR in a timely manner. The form should be signed and dated below. Use additional sheets if necessary. THIS IS NOT A CHARGE. If IDHR accepts your claim, we will send you a charge form for signature.

Protected classes: The Department of Human Rights can investigate charges of discrimination filed against places of public accommodation, such as restaurants, recreational facilities, transportation facilities or businesses which are open to the public. Charges can be also filed against public officials. The Department can investigate charges against educational institutions alleging discrimination in enrolling in education programs or denial of access to facilities, goods, or services, or severe or pervasive harassment where the educational institution failed to stop the conduct.

The IDHR can only investigate charges alleging the following Bases of discrimination: Age (40 and over), Physical or Mental Disability, Retaliation (complained about unlawful discrimination, filed a prior discrimination claim, or testify at a discrimination hearing), Coercion/Aiding and Abetting (helping or forcing a person to commit unlawful discrimination based upon any of the categories listed), Race, Unfavorable Military Discharge, Marital Status, Color, Ancestry, Military Status, Religion, National Origin, Sex, Sexual Orientation, or order of protection status. **The IDHR cannot investigate unfair public accommodation actions such as:** political affiliations, personality conflicts, etc., unless such actions are alleged to be for one or more of the bases (Types of Discrimination) listed above. The IDHR cannot investigate unfair actions within prison facilities because they are not places of public accommodations. The Department cannot investigate allegations related to curriculum content or course offerings. The IDHR cannot investigate charges against the Federal Government or Federal Officials.

NOTICE TO COMPLAINANT ON RELEASE OF IDENTITY AND PERSONAL INFORMATION The Illinois Human Rights Act ("Act"), 775 ILCS 5/1-101 et seq., and Section 2520.330 of the Department's Rules and Regulations, 56 Ill. Admin. Code, Ch. II, Section 2520.330, require a charge to contain certain information in such detail as to substantially apprise the parties of the time, place, and facts with respect to the alleged civil rights violation. Pursuant to the Department's Rules and Regulations (2 Ill. Admin Code, Ch. X, Section 926.210), anyone who submits information to the Illinois Department of Human Rights ("IDHR") in connection with a discrimination charge should take notice and be aware of the following:

- (a) All contents and files maintained by IDHR pertaining to charges shall be confidential and not subject to public disclosure. Relevant exceptions are: 1) the parties to a charge may inspect the file at any time subsequent to the written notification of substantial evidence, notice of default, or notice of dismissal, administrative closure, or approval of terms of settlement by the Human Rights Commission ("Commission"); 2) after the filing of a Complaint with the Commission or the institution of judicial proceedings involving a charge, the Director may release information pertaining to the charge if such information is requested of IDHR or if the Director finds such information newsworthy, useful in education or training, relevant to an issue before the General Assembly, or similarly appropriate for disclosure.
- (b) Authorized personnel within IDHR analyze information that IDHR collects. This information may include personal information. IDHR staff may need to reveal some of the personal information to individuals outside the office in order to verify facts related to the charge, or to discover new facts which will help IDHR to determine whether the law has been violated. IDHR may need to disclose to Respondent correspondence, that IDHR receives from Complainant or other sources.
- (c) IDHR may release the identity and personal information of the parties pursuant to a Freedom of Information Act ("FOIA") request, a subpoena or a court order, and information submitted to or obtained by IDHR may also be revealed to persons outside of IDHR to enforce a Commission Order or a settlement agreement. In addition, if a Request for Review is filed, the Chief Legal Counsel's decision is published in the Department's website, which is available to the public.
- (d) No person is required to file a charge with IDHR and reveal personal information to IDHR; however, if a person files a charge and IDHR cannot obtain the information needed to fully investigate the allegations in the charge, IDHR may close the case.

CONSENT AGREEMENT AND RELEASE

I have read the above "Notice to Complainant" and I understand that: 1) In the course of investigating my charge, IDHR will reveal my identity (including my name) and my personal information to named Respondent(s) in my charge to obtain facts and evidence regarding my charge; 2) I do not have to reveal my personal information to IDHR, but IDHR may close my charge if I refuse to reveal information needed to fully investigate my charge; 3) IDHR may be required by law, subpoena, court order, and/or FOIA request to disclose my charge and information in the Department's investigation file concerning my charge to persons outside of IDHR; 4) If I file a Request for Review, IDHR will publish the Chief Legal Counsel's decision in the IDHR's website, which decision will contain my name and may contain my personal information.

If IDHR takes a charge based on the information provided, I consent for IDHR to disclose my identity and personal information as necessary to process and investigate my charge, and I release IDHR from any liability whatsoever concerning disclosure of my identity and any personal information I provided to IDHR or IDHR obtained in process.

My signature below verifies the accuracy of the information provided and I agree to the release as indicated above.

Name (printed): _____ Signature: _____ Date: _____

Note: If there is certain personal information you would like withheld, please discuss your concerns with an intake supervisor.

DHR Notice to Parties**Interpreters**

The Department provides sign language interpreters upon request. For language other than English, it is the responsibility of the non-English speaking party to secure an interpreter if one is needed. The interpreter must be 18 years of age or older and able to communicate effectively in both languages.

The Cooper v. Salazar injunction

The Illinois Department of Human Rights ("Department") is under a federal-court injunction that, among other things, orders the Department:

"to cease permanently from relying on credibility determinations made without affording the rights of confrontation and cross-examination".

See, Cooper v. Salazar, #98 C 2930, U.S. District Court for the Northern District of Illinois, Order dated November 1, 2001, at p. 26, ¶1.

Meaning of the Cooper Injunction

The Department cannot assess the credibility of Complainant's testimony, the testimony of Complainant's witnesses or the testimony of Respondent's representatives or the witnesses of Respondent where there is conflicting testimony. In other words, if the determination of substantial evidence turns on issues of credibility, the Department should make a finding of substantial evidence so that a trier of fact may resolve those issues of credibility. This means that if a determination of lack of substantial evidence requires the Department to make a finding of fact as to conflicting evidence, the Department will make a finding of substantial evidence so that credibility may be resolved by the Human Rights Commission at a Public Hearing or in circuit court.

The Illinois Human Rights Act defines "substantial evidence" as:

"evidence which a reasonable mind accepts as sufficient to support a particular conclusion and which consists of more than a mere scintilla but may be somewhat less than a preponderance". Illinois Human Rights Act §7A-102(D)(2), codified at 775 ILCS 5/7A-102(D)(2).

The Meaning of Credibility

The Illinois Department of Human Rights is an investigatory agency. The Department's purpose is to gather all of the evidence from each of the parties as to whether Respondent may or may not have discriminated against the Complainant within the meaning of the Illinois Human Rights Act. The Department's purpose is to review all of the evidence and make a determination based upon the law as to whether there is sufficient evidence of discrimination to file a complaint against the Respondent with the Illinois Human Rights Commission. The Department will not make a finding that evidence submitted by a party is either believable or not believable. Thus, the Department will not base its findings on the fact that one of the parties is not telling the truth or that one party's evidence is not believable. If the resolution of the charge of discrimination requires believing the evidence of one party over another party, the Department will make a finding of Substantial Evidence and refer the matter to the Illinois Human Rights Commission so that a trier of fact may resolve the case.

Conflicting evidence exists when there are:

1. Statements of a person with material first hand knowledge contradicted by statements of a different person with material first hand knowledge.
2. Business records contradicted by oral statements of a person with material first hand knowledge.
3. Business records of one person contradicted by business records of another person.