



CASE NO:

Petitioner Stoller contends that Respondent Mendoza, who is the Comptroller for the State of Illinois, whose job is the Treasurer of the State of Illinois, has adopted the discriminatory policies (anti-semitic and age discrimination) of the Illinois Department of Human Services and the Illinois

Attorney General's Office by discriminated against Petitioner Stoller by using anti-semitic derogatory racial slurs and age discrimination by calling him an "old man cheap Jew" and "old man Jew should retire". Therefore, Petitioner Stoller is exercising his rights under Title VII by filing charges of discrimination.

PARTIES

1. Petitioner Christopher Stoller is exercising his right to the enforcement of Title VII, and is expressly authorized to bring this action by Sections 706(f)(1) and 706(f)(3) of Title VII, 42 U.S.C. §§ 2000e-5(f)(1) and (3).

2. At all relevant times, Respondent Mendoza, Illinois Comptroller of the State of Illinois, has continuously been and is now doing business in the State of Illinois and has continuously had at least over (250) employees.

3. At all relevant times, Respondent Mendoza has continuously been an employed as the Illinois Comptroller of the State of Illinois and has engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42, U.S.C. §§ 2000e-(b), (g) and (h).

**PETITIONER’S ALLEGATIONS OF AGE AND ANTI-SEMITIC
DISCRIMINATION**

1. Petitioner Christopher Stoller¹, a 75-year-old, is a protected disabled senior citizen as defined by the Americans with Disabilities Act, 42 U.S.C. §§ 12101 et seq. Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e et seq., the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq., the Reconstruction Era Civil Rights Acts, as amended, 42 U.S.C. §§ 1981 et seq., the Age Discrimination in Employment Act (ADEA), 29 U.S.C. §§ 621 et seq., the Family and Medical Leave Act, 29 U.S.C. §§ 2601, et seq., the Worker Adjustment and Retraining Notification Act, 29 U.S.C. §§ 2100 et seq., the Stoller Polygraph Protection Act (EPPA), 29 U.S.C. §§ 2001, et seq., the Immigration Control and Reform Act, 8 U.S.C. § 1324b, the Fair Credit Reporting Act (FCRA), 15 U.S.C. §§1681, et seq., the Genetic Information Non-Discrimination Act (“GINA”), 42 U.S.C. §§ 2000ff et seq.,

2. Petitioner Stoller worked for the Illinois Department of Human

¹Plaintiff Christopher Stoller (*Pioneer Bank and Trust Co. v. Seiko Sporting Goods, U.S.A, Co*, 132 Ill. Dec. 866, 184 Ill. App. 3d 783, 540, N.E.2d 808; *Exchange National Bank 3199 v. County of Lake Zoning*; *Stoller v. SEUI*, 2022-AR-001369; *Janmark Inc., Plaintiff-Appellant, v. James T. Reidy and Dream Keeper, Inc.*, Defendants-Appellees, United Court of Appeals, Seventh Circuit No. 97-1426, *Stoller v. IDHS, et al*) was an appellate assistant to Ret. Federal Court Judge George N. Leighton of Cook County, Illinois (*Sam Giancana, Plaintiff-appellee, v. Marlin W. Johnson, Agent in Charge, Chicago Office of the Federal Bureau of Investigation, Defendant-appellant.in the Matter of the Alleged Criminal Contempt of Marlin W. Johnson, Contemnor-appellant*, 335 F.2d 372 (7th Cir. 1964); former appellate assistant to Ret. Chief Justice Seymour Simon, and appellate assistant to Ret. Appellate Attorney Sidney Z. Karasik (*Scalise v. Meese*, 687 F. Supp. 1239) who wrote Equal Protection of the Law under the Federal and Illinois Constitutions: A Contrast in Unequal Treatment.

Services as a state employee as a home health care worker providing home health care to my severely disabled nephew, Michael Stoller. Michael Stoller, classified as a disabled adult/child who operates as a 10-year-old child, and is diagnosed with catatonic² schizophrenia, autism, spectrum disorder, depression, diabetes, hypertension, obesity, intellectual disability, and sleep apnea. Petitioner Stoller had been taking care of Michael for 15 hours a day full-time since 2016 with no incident.

3. Petitioner Stoller endured hateful discriminatory, humiliating and explorable remarks that he was “an old man cheap Jew and should retire” and when this was brought to the Illinois Department of Human Services and Respondent Mendoza’s attention on May 28, 2023, Petitioner Stoller was wrongfully terminated.

4. Petitioner Stoller filed a Grievance Complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and on February 1, 2024, Inspector Jeremy Moore, under Charge Number 440-2022-04480, the EEOC gave me a right to sue the Illinois Department of Human Services for my back wages (“**Exhibit 1**”).

²Catatonic schizophrenia, rare severe mental disorder characterized by striking motor behavior, typically involving either significant reductions in voluntary movement or hyperactivity and agitation. In some cases, the patient may remain in a state of almost complete immobility, often assuming statuesque positions. Patients may remain motionless in a rigid posture for hours or even days. Other symptoms of catatonic schizophrenia include mutism (inability to talk), extreme compliance, stupor, and absence of almost all voluntary actions. This state of inactivity is at times preceded or interrupted by episodes of excessive motor activity and excitement, generally of an impulsive, unpredictable kind.

ILLINOIS DEPARTMENT OF
Human Rights

JB Pritzker, Governor
James L. Bennett, Director

February 22, 2024

Sent via E-Mail to cns40@hotmail.com

Christopher Stoller
415 Wesley Avenue, Apt. 1
Oak Park, IL 60302

Re: Control Number: 24M0905.11
Respondent: IDHS and Anastasia Reyes

Dear Complainant:

5. ☒ You previously submitted a filing that contains identical parties, bases, harms, and dates. The previous filing is under EEOC #440-2023-10752.
6. ☒ OTHER: It is documented that the Illinois Department of Human Services (IDHS) was responsible for the cancellation of Complainant's insurance, as IDHS had wrongfully notified the Union that Complainant Christopher Stoller did not meet the requirement of working 15 hours a week. However, on May 22, 2023, Case #23OPO7368, Judge Hogan, ordered Michael Stoller to be returned to Christopher Stoller in an Order of Protection for 15 hours a day. The Illinois Department of Human Services violated the court order filed by Judge Sabra L. Ebersole on July 12, 2023, Case #23OPO7368, and as such, Complainant Christopher Stoller is entitled to his pay and benefits from the State of Illinois (attached are Stoller group exhibits).

5. The Illinois Department of Human Rights conducted a full investigation of the Illinois Department of Human Services and on February 22, 2024, the Illinois Department of Human Rights ruled in Petitioner Stoller's favor ("**Exhibit 2**") and awarded Petitioner Stoller his health insurance and back pay and found that the IDHS violated court orders ("**Exhibit 3**" – Judge Michael Hogan's Order of May 22, 2023, and Judge Sabra Ebersole's Order of July 12, 2023).

6. Petitioner Stoller forwarded all Court Orders ("**Exhibit 3**") and the Illinois Department of Human Rights' February 22, 2024, Administrative Order ("**Exhibit 2**") to Respondent Mendoza and Respondent Mendoza still continued willfully with the anti-semitic and age discrimination of Petitioner Stoller and has refused to comply with the Illinois Department of Human Rights in issuing Petitioner Stoller's back pay.

7. Petitioner Stoller contacted the Office of the Illinois Comptroller, Susana

A. Mendoza on November 6, 2024, (“**Exhibit 4**”) and attached a Settlement Demand Letter with exhibits showing that the Illinois Department of Human Services violated Petitioner Stoller’s civil rights by their anti-semitic and age discrimination and was awarded back pay because of their wrongful behaviors and Respondent Mendoza turned a blind eye and adopted the Illinois Department of Human Services discriminatory policies against Petitioner Stoller. The Comptroller’s Office acknowledged receipt (“**Exhibit 5**”) of Petitioner Stoller’s email and Settlement Letter.

8. Petitioner Stoller hired Economist Stan Smith, Ph.D, President of Smith Economist Group and Mr. Smith calculated my back wages that I am owed from the Illinois Department of Human Services (“**Exhibit 6**”) and the total amount of back wages that I am owed is \$95,858.38.

9. Respondent Mendoza’s adoption of the Illinois Department of Human Services and the Illinois Attorney General’s anti-semitic and age discriminatory policies make it evident that the Illinois Comptroller’s Office is a hostile and discriminatory environment.

10. Respondent Mendoza’s adoption of the Illinois Department of Human Services’ harassing, anti-semitic, and age discrimination conduct was unwelcomed, severe and pervasive and interfered with Petitioner Stoller’s working conditions so much so that he was eventually wrongfully terminated.

11. Petitioner Stoller endured mental anguish due to being called “a cheap, old man Jew” and being told that he “needed to retire”, and Respondent Mendoza did nothing to correct this injustice to Petitioner Stoller.

12. The effects of Respondent Mendoza’s actions described above, have

deprived Petitioner Stoller of equal employment opportunities in retaliation for exercising his federally protected rights.

13. The unlawful and discriminatory employment practices that Respondent Mendoza engaged in which are described above, towards Petitioner Stoller were intentional.

14. The unlawful and discriminatory employment practices that Respondent Mendoza engaged in which are described above, were done with malice or with reckless indifference to the federally protected rights of Petitioner Stoller.

15. To prevail in a “disparate treatment” case, the Petitioner must first prove that he or she is a member of a protected class, and that the employer intentionally discriminated against the Petitioner, most often by treating the Petitioner differently from the way the employer treated people not in the protected class. Generally, the Petitioner must prove the disparate treatment by indirect evidence such as establishing that members of a certain race or older workers singled out for demotions or termination and Petitioner Stoller has proven these elements.

16. Petitioner Stoller has proven that he was treated poorly because of his Jewish religion and age by being called an “old man cheap Jew and he should retire” and due to the discrimination by Respondent Mendoza, Petitioner Stoller was wrongfully terminated from his job with the Illinois Department of Human Services.

PRAYER FOR RELIEF

WHEREFORE, Petitioner Stoller respectfully requests that the EEOC conduct an investigation into Respondent Susana A. Mendoza’s, Comptroller of the State of Illinois anti-semitic and age discrimination policies of Petitioner

Stoller and issue their decision consistent with the Illinois Department of Human Rights. Because Respondent Mendoza has a very important job as Treasurer of the State of Illinois and she alone issues the State of Illinois paychecks, there needs to be a very detailed investigation into her willful and wrongful discriminatory behaviors. Petitioner Stoller is requesting that a finding of fact and conclusion of law hearing be held concerning the allegations in this Complaint against Illinois State Comptroller Susana A. Mendoza.

Respectfully submitted,

/s/ Christopher Stoller

Christopher Stoller, Petitioner

415 Wesley Avenue, Unit 39

Oak Park, Illinois 60302

Tel: (773) 746-3163

Email: cns40@hotmail.com

EXHIBIT 1



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Charlotte District Office
129 West Trade Street, Suite 400
Charlotte, NC 28202
(980) 296-1250
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 02/01/2024

To: Christopher Stoller
W3786 Woodland Drive #522
Lake Geneva, WI 53147
Charge No: 440-2022-04480

EEOC Representative and email: JEREMY MOORE
Federal Investigator
jeremy.moore@eeoc.gov

DISMISSAL OF CHARGE

The EEOC has granted your request for a Notice of Right to Sue, and more than 180 days have passed since the filing of this charge.

The EEOC is terminating its processing of this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 440-2022-04480.

On behalf of the Commission,

Digitally Signed By: Elizabeth "Betsy" Rader
02/01/2024

Elizabeth "Betsy" Rader
District Director

Cc:

Kimberly Foy
DHS-Bureau of Civil Affairs
Harris Building 100 S Grand Avenue East, 3rd Floor
Springfield, IL 62762

Please retain this notice for your records.

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PWFA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

To make a FOIA request for your charge file, submit your request online at <https://eeoc.arkcase.com/foia/portal/login> (this is the preferred method). You may also submit a FOIA request for your charge file by U.S. Mail by submitting a signed, written request identifying your request as a "FOIA Request" for Charge Number 440-2022-04480 to the

District Director at Elizabeth "Betsy" Rader, 129 West Trade Street Suite 400, Charlotte, NC 28202.

To make a Section 83 request for your charge file, submit a signed written request stating it is a "Section 83 Request" for Charge Number 440-2022-04480 to the District Director at Elizabeth "Betsy" Rader, 129 West Trade Street Suite 400, Charlotte, NC 28202.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to <https://www.eeoc.gov/eeoc/foia/index.cfm>.

For more information on submitted Section 83 requests, go to <https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files>.

NOTICE OF RIGHTS UNDER THE ADA AMENDMENTS ACT OF 2008 (ADAAA)

The ADA was amended, effective January 1, 2009, to broaden the definitions of disability to make it easier for individuals to be covered under the ADA/ADAAA. A disability is still defined as (1) a physical or mental impairment that substantially limits one or more major life activities (actual disability); (2) a record of a substantially limiting impairment; or (3) being regarded as having a disability. *However, these terms are redefined, and it is easier to be covered under the new law.*

If you plan to retain an attorney to assist you with your ADA claim, we recommend that you share this information with your attorney and suggest that he or she consult the amended regulations and appendix, and other ADA related publications, available at: http://www.eeoc.gov/laws/types/disability_regulations.cfm.

“Actual” disability or a “record of” a disability

If you are pursuing a failure to accommodate claim you must meet the standards for either “actual” or “record of” a disability:

- ✓ **The limitations from the impairment no longer must be severe or significant** for the impairment to be considered substantially limiting.
- ✓ In addition to activities such as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, reading, bending, and communicating (more examples at 29 C.F.R. § 1630.2(i)), **“major life activities” now include the operation of major bodily functions**, such as: functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions; or the operation of an individual organ within a body system.
- ✓ **Only one** major life activity need be substantially limited.
- ✓ Except for ordinary eyeglasses or contact lenses, the beneficial effects of **“mitigating measures”** (e.g., hearing aid, prosthesis, medication, therapy, behavioral modifications)

are not considered in determining if the impairment substantially limits a major life activity.

- ✓ An impairment that is “**episodic**” (e.g., epilepsy, depression, multiple sclerosis) or “**in remission**” (e.g., cancer) is a disability if it **would be substantially limiting when active**.
- ✓ An impairment **may be substantially limiting even though** it lasts or is expected to last **fewer than six months**.

“Regarded as” coverage

An individual can meet the definition of disability if an **employment action was taken because of an actual or perceived impairment** (e.g., refusal to hire, demotion, placement on involuntary leave, termination, exclusion for failure to meet a qualification standard, harassment, or denial of any other term, condition, or privilege of employment).

- ✓ “Regarded as” coverage under the ADAAA no longer requires that an impairment be substantially limiting, or that the employer perceives the impairment to be substantially limiting.
- ✓ The employer has a defense against a “regarded as” claim only when the impairment at issue is objectively **both** transitory (lasting or expected to last six months or less) **and** minor.
- ✓ A person is not able to bring a failure to accommodate claim **if** the individual is covered only under the “regarded as” definition of “disability”.

***Note:** Although the amended ADA states that the definition of disability “shall be construed broadly” and “should not demand extensive analysis,” some courts require specificity in the complaint explaining how an impairment substantially limits a major life activity or what facts indicate the challenged employment action was because of the impairment. Beyond the initial pleading stage, some courts will require specific evidence to establish disability. For more information, consult the amended regulations and appendix, as well as explanatory publications, available at http://www.eeoc.gov/laws/types/disability_regulations.cfm.*

EXHIBIT 2

ILLINOIS DEPARTMENT OF
 Human Rights

JB Pritzker, Governor
James L. Bennett, Director

February 22, 2024

Sent via E-Mail to cns40@hotmail.com

Christopher Stoller
415 Wesley Avenue, Apt. 1
Oak Park, IL 60302

Re: Control Number: 24M0905.11
Respondent: IDHS and Anastasia Reyes

Dear Complainant:

After considering your communication it appears that a charge of discrimination cannot be filed with the Department of Human Rights (Department) for the reason(s) indicated below:

1. ☐ The Human Rights Act requires that a charge of discrimination be made within 300 days of the alleged civil rights violation. Your communication was not mailed or received within that period.
2. ☐ As of (DATE) you have voluntarily withdrawn your filing of discrimination.
3. ☐ The Employer or Entity your client is accusing of a violation is not subject to the provisions of the Human Rights Act.
4. ☐ You have not claimed that you were discriminated against because of a protected basis. The Human Rights Act prohibits discrimination on the basis of race; color; religion; sex; national origin; ancestry; age (40 and over); order of protection status; marital status; physical or mental disability, unrelated to ability to perform the job; military status; sexual orientation (including gender identity); pregnancy; unfavorable military discharge; sexual harassment; arrest record; conviction record; language; citizenship status; work authorization status; willful interference; retaliation for having openly opposed unlawful discrimination; and aiding, abetting, compelling or coercing a person to discriminate based on any of the categories mentioned.
5. ☒ You previously submitted a filing that contains identical parties, bases, harms, and dates. The previous filing is under EEOC #440-2023-10752.
6. ☒ OTHER: It is documented that the Illinois Department of Human Services (IDHS) was responsible for the cancellation of Complainant's insurance, as IDHS had wrongfully notified the Union that Complainant Christopher Stoller did not meet the requirement of working 15 hours a week. However, on May 22, 2023, Case #23OPO7368, Judge Hogan, ordered Michael Stoller to be returned to Christopher Stoller in an Order of Protection for 15 hours a day. The Illinois Department of Human Services violated the court order filed by Judge Sabra L. Ebersole on July 12, 2023, Case #23OPO7368, and as such, Complainant Christopher Stoller is entitled to his pay and benefits from the State of Illinois (attached are Stoller group exhibits).

The Department has closed your file. However, if you still believe that you have a charge of discrimination within this Department's jurisdiction, you must write to us within ten (10) days of receipt of this letter explaining your reasons. For your convenience, our email address is idhr.intake@illinois.gov. Always be sure to refer to your control number when writing.

Sincerely,

Eric Loera
Intake Human Rights Investigator
Intake Unit

IN2
Rev12/23

EXHIBIT 3

A/0

2018

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218P
11/1

IN THE CIRCUIT COURT
ARBITRATION DIVISION
DUPAGE COUNTY, ILLINOIS

FILED
OCT 11, 2022 10:44 AM
Candice Adams
CLERK OF THE
18TH JUDICIAL CIRCUIT
DUPAGE COUNTY, ILLINOIS

MICHAEL STOLLER, CHRISTOPHER STOLLER, and LEO STOLLER,)
)
)

Plaintiffs,)
)

v.)
)

CASE NO: 22 AR 1369

SEIU UNION, GREG KELLY, PRESIDENT)
PAIGE KELLY, VICE PRESIDENT)
DUANE RYLKO, MRC ORGANIZER)
(SEIU DEFENDANTS))
ILLINOIS DEPARTMENT OF HUMAN)
SERVICES (IDHS))
DAVID STONECIPHER DIRECTOR HSP)
POLICY UNIT, CIERA HARVEY)
(IDHS DEFENDANTS))
John Does 1 thru 10, Lawyers, agents, assigns)
ET AL)

Defendants.

ORDER

This matter coming to heard on Plaintiffs' Motion for a TRO and/or Preliminary Permanent Injunction to enjoin all the Defendants, IDHS and SEIU Union from conducting an arbitration of Christopher Stoller's grievance during the pendency of this lawsuit. The court has jurisdiction over the parties and the subject matter.

IT IS HERBY ORDERED THAT Plaintiffs' Motion for a TRO and/or Permanent Injunction is **GRANTED**.

Defendants, are barred from conducting any grievance filed by the Plaintiff(s) during the pendency of this ^{TRO} litigation and any grievance proceeding (arbitration) conducted by the SEIU Union and IDHS involving Plaintiff(s) Christopher Stoller is void *ab initio*.

Prior to the hearing on the preliminary injunction,

The Defendants, are barred from retaliating against the Plaintiffs, harassing them, and/or reducing Michael Stoller's current 15 hours of care a day pending resolution of the merits of the litigation.

The court maintains jurisdiction over the enforcement of this TRO and or preliminary injunction.

* MATTER is set for hearing on the Preliminary injunction to 11/1/22 @ 10 AM in Rm 2018
ENTERED:

* Defendants have 14 days to Respond.

* Plaintiff to give Notice.

Robert E. [Signature]
October 11, 2022

Candice Adams
e-filed in the 18th Judicial Circuit Court
DuPage County
ENVELOPE: 21490723
2022AR001369
FILEDATE: 2/15/2023 3:52 PM
Date Submitted: 2/15/2023 3:52 PM
Date Accepted: 2/16/2023 12:12 PM
DP

V.

CASE NO: 2022AR001369

SEIU UNION, GREG KELLY, PRESIDENT
PAIGE KELLY, VICE PRESIDENT
DUANE RYLKO, MRC ORGANIZER
(SEIU DEFENDANTS)
ILLINOIS DEPARTMENT OF HUMAN
SERVICES (IDHS)
DAVID STONECIPHER DIRECTOR HSP
POLICY UNIT, CIERA HARVEY,
(IDHS DEFENDANTS)
John Does 1 thru 10, Lawyers, agents, assigns
ET AL

Defendants.

) Judge Douglas
) Room 2018

**NOTICE OF FILING BENCH ORDER, ORDERING THE DEFEENDANTS IDHS NOT
TO HARASS THE PLAINTIFFS STOLLERS**

PLEASE TAKE NOTICE that Plaintiffs Stollers file a Bench order contained in the November 1, 2022 Court Transcript at Page 8 Lines 8-10 where Judge Douglas directs the IDHS Defendants NOT to harass the Plaintiffs Stollers see attached November 1, 2022 Transcript marked as Exhibit 1, 2023 filed with the Clerk of the Court .

CERTIFICATION

I, Candice Adams, Clerk of the 18th Judicial Circuit Court Clerk, DuPage County, Illinois, do hereby certify this to be a true and correct copy as it appears from the records and files in my office. IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the said Court.

DATE NOV 14 2023



Candice Adams
CANDICE ADAMS, Clerk

By [Signature]
Deputy Clerk

Respectfully
/s/Leo Stoller
P.O. Box 60645
Chicago, Illinois 60640
312-545-4554
Email Ldms4@hotmail.com

PROOF OF SERVICE

I caused the foregoing to be served on the party listed via U.S mail prepaid by mailing a copy to the party identified on 2-15-2023.

/s/Leo Stoller

WEEYA YOUNG
Assistant Attorney General
Office of the Illinois Attorney General
100 West Randolph Street, 13th Fl.
Chicago, IL 60601
weeya.young@ilag.gov

IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

MICHAEL STOLLER, CHRISTOPHER
STOLLER and LEO STOLLER,

Plaintiffs,

- vs -

SERVICE EMPLOYEES
INTERNATIONAL UNION, et al.,

Defendants.

No. 22 AR 1369

STATUS

REPORT OF PROCEEDINGS had at the
hearing of the above-entitled cause, before the
HONORABLE ROBERT E. DOUGLAS, Judge of said Court,
recorded on the DuPage County Computer Based Digital
Recording System, DuPage County, Illinois, and
transcribed by PEGGY CUDA, Certified Shorthand Official
Court Reporter, commencing on the 1st day of November,
2022.

1 PRESENT:

2 MR. PHILIP KISS,

3 appeared on behalf of Michael Stoller,
4 Plaintiff;

5 MR. CHRISTOPHER STOLLER,

6 appeared Pro se;

7 MR. KWAME RAOUL, Attorney General
8 of the State of Illinois, by
9 MS. WEEYA YOUNG,
10 MR. AIDAN NUTTALL,
 Assistant Attorney Generals,

 appeared on behalf of Ciera Harvey, David
11 Stonecipher and the Illinois Department of
12 Human Services, Defendants;

13 DOWD, BLOCH, BENNETT, CERVONE, AUERBACH
14 & YOKICH, LLP, by
 MR. JOSIAH GROFF,

15 appeared on behalf of SEIU Healthcare
16 Illinois Indiana, Greg Kelly, Paige Kelly
 and Duane Rylko, Defendants.

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1 we have an acceptable date, there will be no
2 continuances of that date, okay, and then we were going
3 to move forward with this suit.

4 Now, I have got like a million, maybe half a
5 million, motions here on various things from discovery
6 sanctions, motions in limine. We were dealing with a
7 very narrow scope issue on the TRO which has somehow
8 expanded to well beyond. I think at this point -- And
9 correct me if I'm wrong, counsel. And I'm going to let
10 you talk after I'm done with this.

11 MS. YOUNG: Thank you, Your Honor.

12 MR. NUTTALL: Please.

13 THE COURT: Correct me if I'm wrong, that until
14 the grievance hearing is held, none of these issues are
15 ripe --

16 MS. YOUNG: Correct.

17 THE COURT: -- because he has not been denied his
18 15 hours at this point.

19 MS. YOUNG: Correct, Your Honor.

20 THE COURT: Okay. So what I'm gonna do today --
21 And I'm sorry that you brought all these people. But
22 if everybody read the TRO as I wrote it, what you would
23 realize is I am making a ruling today that this issue
24 is not ripe for the Court on anything other than

1 Mr. Stoller getting his grievance hearing. Okay?

2 MS. YOUNG: Okay.

3 THE COURT: Beyond that, we have no decision by
4 the IDHS as to whether he's going to get his 15 hours
5 or what. So I'm gonna direct the parties to coordinate
6 and pick an acceptable date that is acceptable for IDHS
7 and for Mr. Stoller to have a grievance hearing.

8 Now, the one thing I am going to put in the
9 order, nobody is going to be allowed to harass the
10 Stollers. But he's indicated -- and this was part of
11 my original order -- that one employee of the IDHS has
12 been sending letters and doing some things until -- you
13 know, and I'm not -- no one ever gets to harass the
14 other parties. However, official communication, that's
15 okay.

16 MR. NUTTALL: Sure. And if I may to that point,
17 Judge.

18 THE COURT: Okay.

19 MR. NUTTALL: I don't want to interrupt you.

20 THE COURT: No. Please.

21 MR. NUTTALL: I just want to say there were two
22 letters that were sent between the TRO and now, if
23 that's what you're referring to.

24 THE COURT: I did strike those letters.

1 MR. NUTTALL: Okay. And they were just warnings.
2 They were not indications that anything was going to be
3 cut off --

4 MS. YOUNG: Nor disciplinary action.

5 MR. NUTTALL: -- service would discontinue,
6 nothing like that. They were actually automatic, and
7 you would have heard testimony today if we had
8 proceeded to that.

9 MS. YOUNG: Correct.

10 THE COURT: Okay. I'm going to strike those.

11 Now, the second issue, or the biggest issue
12 for me -- and this is directed to you, counsel -- when
13 I went back and I read the complaint today, I --

14 MR. KISS: If I may interrupt you --

15 THE COURT: Sure.

16 MR. KISS: -- for a second. I'm representing
17 Michael. Chris Stoller is representing himself and Leo
18 Stoller is representing himself. So I -- if that's
19 going to be directed at me, as long as it's directed at
20 Michael.

21 THE COURT: All right. Well, I'm going to say
22 this loud enough so that Mr. Stoller -- You don't have
23 to come up, Mr. Stoller. But here's what I'm gonna say
24 is I anticipate -- I have read through your complaint.

1 this case -- if I determine -- I'm gonna let you know
2 right now after we go through the motion to dismiss
3 phase, if I determine that the main issue in this case
4 is an injunctive issue, I am going to transfer the case
5 to Chancery. And you can -- Mr. Stoller, and this is
6 not meant in disparagement at all; but you are a serial
7 litigant. You appear in front of this Court and other
8 courts in this county and I assume counties regularly,
9 okay? And I am going to make sure that you are in the
10 courtroom that you should be in.

11 My order today is going to be -- and I think
12 counsel is taking this down -- I want the two of you to
13 work it out, all of you to work it out, come up with a
14 date and prepare a paper order for me.

15 Yes, Mr. Stoller.

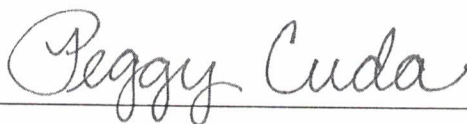
16 MR. CHRISTOPHER STOLLER: Judge, one issue with
17 the arbitration is I asked that the Union who
18 represents me, representative, was an admitted
19 alcoholic, incompetent, didn't know the facts. I asked
20 that the Union substitute, which they have numerous
21 other representatives, to represent --

22 THE COURT: The Union is out of the case now.

23 MR. CHRISTOPHER STOLLER: I understand, Judge. I
24 understand. But you're asking -- Part of the relief is

1 IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT
2 DU PAGE COUNTY, ILLINOIS
3
4

5 I, PEGGY CUDA, hereby certify that I am a
6 Certified Shorthand Official Court Reporter, assigned
7 to transcribe the computer based digital recording of
8 proceedings had of the above-entitled cause,
9 Administrative Order No. 99-12, and Local Rule 1.03(c).
10 I further certify that the foregoing, consisting of
11 Pages 1 to 23, inclusive, is a true and accurate
12 transcript completed to the best of my ability, based
13 upon the quality of the audio recording.
14
15
16
17
18

19 
20 _____

21 Official Court Reporter
22 Eighteenth Judicial Circuit of Illinois
23 DuPage County
24 C.S.R. License No. 084-002818

1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF COOK)

3 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - DOMESTIC VIOLENCE DIVISION

4 LEO STOLLER,)
5)
6 Petitioner,)

7 -vs-)

8 CHRISTOPHER STOLLER,)
9 Respondent.)

10 CHRISTOPHER STOLLER)
11 OBO MICHAEL STOLLER,)
12 Petitioner,)

13 -vs-)

14 LEO STOLLER,)
15 Respondent.)

No. 23 OP 07362

FILED

JUL 26 2023

IRIS Y. MARTINEZ
CLERK OF CIRCUIT COURT

No. 23 OP 07368

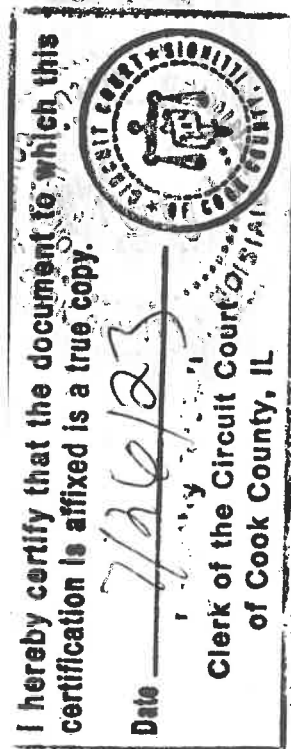
16 REPORT OF VIDEOCONFERENCE PROCEEDINGS

17 had at the hearing in the above-entitled cause
18 before the HONORABLE SABRA EBERSOLE, Judge of said
19 court, on the 12th day of July, 2023, Room 201,
20 Calendar 71.

21 APPEARANCES:

22 LAW OFFICE OF WILLIAM F. MARUTZKY, by:
23 MR. WILLIAM F. MARUTZKY, (via Zoom)
24 appeared on behalf of the
Petitioner/Respondent;

Respondent/Petitioner C. Stoller,
appeared Pro se. (via Zoom)



1 RESPONDENT L. STOLLER: How could I agree to a
2 plan when I don't know what the plan is?

3 THE COURT: All right. Mr. Leo Stoller, if you
4 interrupt me one more time, you're going into a
5 breakout room and your attorney will represent you and
6 you won't be here. Stop interrupting me.

7 Mr. Marutzky, I suggest that you explain to
8 your client that I am not asking if he agrees. I don't
9 care right now if he agrees. I am asking if he
10 understands the words that I am saying. That's it.

11 MR. MARUTZKY: I understand that, your Honor. And
12 on behalf --

13 THE COURT: Mr. Leo Stoller -- wait. No.

14 MR. MARTUZKY: I want to say on behalf of my
15 client he accepts.

16 THE COURT: No, no. I am serving these people in
17 open court. I understand that Christopher Stoller and
18 Leo Stoller have filed I don't know how many lawsuits
19 in Cook County, and all I am going to do is serve them
20 so that what is happening in this courtroom right now
21 is crystal clear to both Christopher Stoller and Leo
22 Stoller. That's it.

23 Mr. Leo Stoller, listen to me. Do you
24 understand that the words on this order say you are to

1 allow the petitioner access to Michael Stoller so that
2 petitioner can care for Michael Stoller for 15 hours a
3 day. Do you understand that those are the words on
4 this order, yes or no?

5 RESPONDENT L. STOLLER: I understand that those
6 are the words on the orders.

7 THE COURT: That's it. All right. Respondent has
8 been served in open court July 12, 2023. Now it is
9 clear to this Court that what is happening here is that
10 two people are trying to get orders of protection each
11 claiming that they are the appropriate person to be
12 naming Michael Stoller, a disabled adult, as a
13 protected party.

14 The Court also has before it multiple,
15 multiple petitions filed. I have petitions for
16 adjudication of indirect criminal contempt, I have a
17 motion to disqualify Attorney William Marutzky. And
18 the court, in preparing for today's hearing, also
19 discovered that there is an active case in probate, and
20 that would be Case No. 2018 P 000089, where there is an
21 estate of Michael Stoller, that right now the Court has
22 determined that Leo Stoller is the legal guardian of
23 Michael Stoller and that Christopher Stoller has filed
24 a motion to remove Leo Stoller as the legal guardian

1 and have himself appointed.

2 The Court has consulted with the probate
3 judge, Judge MacCarthy, and Judge MacCarthy has agreed
4 to accept these two cases so that all of this will be
5 litigated before one judge instead of having two
6 different judges and four different cases trying to
7 litigate the same facts. They are going to be done in
8 front of one judge and that judge is Aicha MacCarthy.
9 So both cases will be transferred to Calendar 10.

10 Mr. Marutzky, do you represent anybody in
11 that case?

12 MR. MARUTZKY: I do not, your Honor. There is
13 another attorney that represents Mr. Stoller and his
14 minor son in that case. I believe his name is Kriss or
15 Kiss, (phonetic) I am not sure.

16 THE COURT: All right.

17 We are going to determine the next court
18 date. Okay, it's Room 1810, July 14th at 10:00 o'clock
19 which is a previously scheduled court date before Judge
20 MacCarthy. This matter will be continued for status.

21 The emergency orders that were issued on May
22 the 22nd will be continued to that day. I believe her
23 court call is by Zoom. All motions that have been
24 filed, including the petitions for contempt and the

1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF COOK)

4 IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
5 COUNTY DEPARTMENT - DOMESTIC VIOLENCE DIVISION

6 I, Wendy M. Maslon, Official Court Reporter
7 of the Circuit Court of Cook County, County Department
8 - Domestic Violence Division, do hereby certify that I
9 reported in shorthand the videoconference proceedings
10 had in the above-entitled cause; that I thereafter
11 caused the foregoing to be transcribed into
12 typewriting, which I hereby certify to be a true and
13 accurate transcript of the Report of Proceedings had
14 before the HONORABLE SABRA EBERSOLE, Judge of said
15 court.

16

17

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Dated this 13th day of July, 2023.

Wendy Maslon

Official Court Reporter
#084-003257

I hereby certify that the document to which this
certification is affixed is a true copy.

Date

7/26/23

Clerk of the Circuit Court
of Cook County, IL



23 OP 07368

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT <u>COOK</u> COUNTY	EMERGENCY ORDER OF PROTECTION	Case Number <u>2023OP07368</u>
Civil Proceeding ☐ Emergency Criminal Proceeding ☐ Ex parte		For Court Use Only ☐ Independent ☐ Juvenile ☐ Other Civil Proceeding ☐ Criminal This Order has been granted Pursuant to the Code of Criminal Procedure 725 ILCS 5/112A
Instructions Directly above, enter the county where you filed this case. Enter your name as Petitioner. Enter name of the person you are seeking protection from as Respondent. Enter the Case Number given by the Circuit Clerk. Check the boxes for ALL people you want to include in the Order. On the lines provided, enter the name for each person you are trying to protect. "Other household members" includes people living with you or working where you are staying.		
Petitioner: <u>CHRISTOPHER STOLLER</u> (First, middle, last name) v. <u>obo Michael Stoller</u> Respondent: <u>LEO D. STOLLER</u> (First, middle, last name)		
People to be Protected by this Order (check all that apply): Petitioner refers to any protected person in this Order. ☒ Petitioner <u>ADULT</u> ☐ Petitioner's minor children with Respondent: <u>MICHAEL STOLLER A disabled person to be put in care 15 hrs a day no care taken</u> ☐ Petitioner's minor children not related to Respondent: ☒ Dependent adult: <u>Michael Stoller A disabled adult child</u> ☐ High-risk adult: ☐ Other household members:		

"Petitioner" Includes All Persons Named Above As "People to Be Protected By This Order."

ORDER INFORMATION:

☒ This Order was issued on: 5/12/23 at 3:31pm
 Date Time

☒ Civil Order: this Order will end on: 6/12/23 at 5:00pm
 Date Time

☐ Criminal Order: this Order will be in effect until the hearing on a final protective Order.

NEXT HEARING: There will be a hearing on: 6/12/23 at 9:00am
 Date Time

at Via Zoom in 304
 Address of Courthouse Courtroom



Respondent: A Plenary (long-term) Order of Protection may be entered if you do not come to this hearing.

(08/21)

Enter the Case Number given by the Circuit Clerk: **23 OP 07368**

NOTE: If you are completing this form for a minor child, a dependent adult, or a high-risk adult, insert information needed below as if you were that person. In other words, do not use your information.

1. Petitioner's ☒ address OR ☐ alternative address for notice

5550 N. Kenmore Chgo IL 60640
 Street Address, Apt. # City State ZIP

Email _____

2. Respondent's date of birth (if known): 6/5/46 Sex: M Race: White

3. Respondent's address (if known):

5550 N. Kenmore Apt #922 Chgo IL 60640
 Street Address, Apt. # City State ZIP

Respondent's Employer _____

Respondent's work hours _____

Respondent's Employer-Street Address _____
 City State ZIP

After reviewing the *Petition* and hearing the evidence and testimony of Petitioner, the Court makes findings which:

- ☐ Are stated on page 9 and 10 of this Order; OR
☒ Were made orally and videotaped or recorded by a court reporter and are incorporated into this Order.

THE COURT ORDERS THAT YOU OBEY ALL SECTIONS SELECTED BELOW:

"Petitioner" Includes All Persons Named Above As "People to Be Protected by This Order."

- ☒ 1. No Abuse (R01) (Police Enforced)

Respondent shall not threaten or commit the following acts of abuse toward Petitioner (check all that apply):

- ☒ Harassment ☒ Intimidation of a Dependent
☒ Physical Abuse ☐ Exploitation of a High-Risk Adult with Disabilities
☒ Stalking ☐ Neglect of a High-Risk Adult with Disabilities
☐ Willful Deprivation ☒ Interference with Personal Liberty

- ☐ 2. Possession of Residence (R02) (Police Enforced)

These remedies do not affect who owns the property, only who gets to use or occupy

- ☐ Petitioner is granted exclusive possession of the residence and Respondent is ordered not to stay or be at the residence

- ☐ Petitioner's residence is located at:

 Street Address, Apt. # City State ZIP

OR

- ☐ Petitioner's address is undisclosed.

BECAUSE (check one):

- ☐ Petitioner has a right to occupy the residence and Respondent has no right; OR
☐ Petitioner and Respondent both have the right to occupy the residence, but it would be harder on the Petitioner to leave after considering the factors set forth in 750 ILCS 60/214(b)(2)(B).

Provision of alternate housing. **Not available in an Emergency Order.**

23 OP 07368

Enter the Case Number given by the Circuit Clerk:

Respondent: Respondent is automatically prohibited from possessing a firearm while this Order is in effect, under Federal Law 18 USC 922(g)(8).

Therefore:

- ☐ Respondent shall surrender all firearms in their possession to this law enforcement agency, which shall take possession of them: _____
Name of Law Enforcement Agency
- ☐ Respondent shall immediately turn over any FOID card in their possession to this law enforcement agency, which shall take possession of it: _____
Name of Law Enforcement Agency
- ☐ Respondent's conceal and carry license is suspended during the duration of this Order. Respondent must turn over the license to the court at the time this Order is entered or to this law enforcement agency, which shall take possession of it: _____
Name of Law Enforcement Agency

When this Order ends, Respondent's firearms and FOID card shall be returned to Respondent upon request if the FOID card is not expired and there is no other order restricting Respondent's possession of those firearms.

☐ 15. **Children's Records** (R15) (Court Enforced)

Respondent is not allowed to access, inspect, or obtain school records or any other records of the minor children in the care of Petitioner because (check all that apply):

- ☐ This Order of Protection prohibits Respondent from having contact with the minor children.
- ☐ The actual address of Petitioner is not included due to the risk of further abuse.
- ☐ It is necessary to prevent abuse or wrongful removal or concealment of the minor children.

16. **Shelter Reimbursement. Not available in an Emergency Order.**

☒ 17. **Miscellaneous Remedies** (R17) (Court Enforced)

☒ Respondent is further ordered as follows:

Respondent shall not interfere with the care recommended under 0727521, Respondent shall allow Petitioner access to Michael Stoller so, Petitioner can care for Michael Stoller 15 hours a day.

(R18) (Court Enforced)

☐ 18. **Telephone Services**

☐ A wireless telephone provider provides service for Respondent and Petitioner (account details below):

Name of Provider: _____

Name of Account Holder: _____

Billing Phone #: _____

Petitioner Phone #'s: _____

Petitioner Phone #'s: _____

- ☐ After considering the evidence, the wireless telephone service provider shall terminate Respondent's use of Petitioner's phone number, transfer to Petitioner the right to use these phone numbers, and transfer to Petitioner all financial responsibility associated with future use of these phone numbers.

Petitioner: STOP! Only the Judge or Circuit Clerk shall enter anything below this point.

RULINGS PURSUANT TO 750 ILCS60/221(a)(2) and (b)(2)

☐ The relief requested in Sections: ☐ 2 ☐ 3 ☐ 10 ☐ 11 ☐ Other _____

in the Petition is DENIED because the balance of hardships does not support the granting of the remedy; the granting of the remedy will result in hardship to Respondent that would substantially outweigh the hardship to

07368

Enter the Case Number given by the Circuit Clerk: _____

Petitioner from the denial of the remedy: OR _____

ENTERED
Judge Michael Hogan-2268
MAY 22 2023
IRIS Y. MARTINEZ
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL

☐ The relief requested in Sections:
in the *Petition* is RESERVED.

The findings indicated below are hereby incorporated into this *Order*.

ENTERED: M H 2268 Judge Date 5/22/23

I hereby certify that this is a true and correct copy of the original order on file with the Court.

Clerk of the Circuit Court CERTIFY THE ABOVE TO BE CORRECT. County, Illinois 5/22/23
Iris Martinez
Seal (and signature, as locally required) OF COOK COUNTY, IL

Copies given ☐ Petitioner ☐ Respondent In Open Court ☐ Sheriff to serve Respondent ☐ LEADS
This order is the command of the Circuit Court and violation thereof is subject to the penalty of the law.

FINDINGS:
After reviewing the *Petition* and hearing the evidence and testimony of Petitioner, the Court finds

1. The people protected by this *Order* are:
☐ Petitioner
☐ Minor children listed in caption of this *Order*
☐ Other Protected Persons listed on page 1 of this *Order*

2. The Petitioner has the following relationship to Respondent:

☐ Boyfriend / Girlfriend / Dating Relationship (including ex) (BG)	☐ Spouse (SE)	☐ Ex-Spouse (XS)
☐ Has Children with Respondent (never married to Respondent) (CC)	☐ Sharing or Shared Home (CS)	☐ Child (CH)
☐ Parent (PA)	☐ Brother / Sister / Sibling (SB)	☐ Other Family Member (OF)
☐ Other - Petitioner not Related to Respondent (OT)	☐ In-law (IL)	☐ Personal Caregiver to Disabled Petitioner (PC)
☐ Petitioner with Disability receives care from respondent (PD)	☐ Personal Assistant of Petitioner (PR)	☐ Grandchild (GC)
☐ Grandparent (GP)	☐ Step-Child (SC)	☐ Step-Brother / Step-Sister / Step-Sibling (SS)
☐ Prospective or Adoptive Child has Family or Household Relationship with Respondent	☐ Foster Child has Family or Household Relationship with Respondent	☐ Legally Appointed Guardian or Custodian of a Child who has a Family or Household Relationship with Respondent
☐ Step-Parent (SP)		

3. ☐ Respondent HAS received actual notice of Petitioner's request for an Order of Protection.
☐ Respondent HAS NOT received notice of Petitioner's request for an Order of Protection
☐ Petitioner is present in person in court. ☐ Represented by: _____
Name of Lawyer

4. ☐ Respondent is not present in court.
☐ Respondent is present in person in court. ☐ Represented by: _____
Name of Lawyer

Page 9 of 12

OP-E 404.3

- Enter the Case Number given by the Circuit Clerk **28 OP 07888**
5. ☐ Good cause exists to grant these remedies in this Order even though Respondent has not received notice. Because:
- ☐ a. If Respondent were given prior or greater notice, it is likely that the harm that the remedies in this Order are intended to prevent would occur (R01, R03, R05, R08, R09, R11, R14, R15, and R17).
 - ☐ b. If Respondent were given prior or greater notice, the immediate danger of further abuse outweighs the hardships to Respondent of an Order granting exclusive possession of the residence (R02).
 - ☐ c. If Respondent were given prior or greater notice, it is likely that personal property would be disposed of improperly, or Petitioner has an immediate and pressing need for possession of that property.
6. Other Relevant Factors and Findings (check all that apply):
- ☐ An Order of Protection has previously been entered in this case or in another case in which any party, or a child of any party has been named as either Respondent or Petitioner.
 - ☐ An abused person is unable to bring this Petition on their own behalf due to age, health, disability, or inaccessibility.
 - ☐ The Petition has been filed on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.
 - ☐ There is reason to believe Respondent is (check all that apply): ☐ armed ☐ dangerous ☐ suicidal
7. ☐ **Civil Cases:** In granting the remedies in this Order, the Court has considered all relevant factors, including: the nature, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of their location in order to evade service of notice, and the likelihood of danger of future abuse, neglect, or exploitation to Petitioner or any member of Petitioner's or Respondent's family or household; and the danger that any minor child(ren) will be abused, removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker. The court finds that:
- The Court has jurisdiction over Petitioner, Respondent, minor children and other Protected Persons.
 - Venue is proper.
 - Respondent has abused Petitioner and/or the children identified as protected persons in Section 5 on page 4 and / or the Protected Persons listed on Page 1 of this Order.
 - The actions of Respondent will likely cause irreparable harm or continued abuse unless they are prohibited.
 - It is necessary to grant the requested relief in this Order to protect Petitioner or other abused persons.
8. ☐ **Criminal Cases:** The Court is entering this Order based on the following prima facie evidence:
- ☐ an information, complaint, indictment or delinquency petition, charging a crime of domestic violence or charging an attempt to commit a crime of domestic violence; OR
 - ☐ an adjudication of delinquency, a finding of guilt based upon a plea, or a finding of guilt after a trial for a crime of domestic battery; OR
 - ☐ any disposition order issued under Section 5-710 of the Juvenile Court Act of 1987, the imposition of supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release for a crime of domestic violence or an attempt to commit a crime of domestic violence, or imprisonment in conjunction with a bond forfeiture warrant; OR
 - ☐ the entry of a protective order in a separate civil case brought by Petitioner against Respondent.

IMPORTANT INFORMATION ABOUT THIS ORDER OF PROTECTION

TO BOTH PARTIES: This Order CANNOT BE CHANGED OR VACATED unless you have a hearing. To have a hearing, Petitioner or Respondent must do the following:

1. File a written motion with the Circuit Clerk that lists the reasons why you want to change or vacate this Order,
2. Get a time for the hearing from the Circuit Clerk; AND
3. Provide the other party with a copy of your motion and notify them in writing of the time and place of the hearing.

Enter the Case Number given by the Circuit Clerk:

25 OP 07388

TO RESPONDENT: The Court has granted this Order. If you do not obey this Order, you could be arrested and charged with a crime.

- Petitioner cannot give you legal permission to change this Order. Only the Court can change this Order. If you have contact with Petitioner that is prohibited by this Order, you may be arrested.
- If you and Petitioner want to have contact with each other again, you must ask the Court to modify or dismiss this Order of Protection.
- Unless the Court changes or dismisses this Order, you can be arrested for violating this Order of Protection.

You have notice that Petitioner has asked for an Order of Protection. You must appear in court on the date in this order if you want to try to prevent the entry of a long-term Order of Protection. If you do not, a long-term Order of Protection may be issued against you.

If you want to contest the Short-Term Order of Protection you must:

Emergency Order of Protection (Civil Case)

- File a motion with the court stating:
 - 1) you did not receive prior notice, and
 - 2) you have a valid defense to the Order, OR
 - 3) the Order, or any of its remedies, was not authorized under the law.

Ex parte Protective Order (Criminal Case)

- File a written notice with the court stating You have a meritorious (valid) defense.
- Written notice must include an Affidavit providing the evidence of your meritorious (valid) defense. You must bring this evidence to the hearing.

Any knowing violation of an Order of Protection forbidding physical abuse, neglect, exploitation, harassment, intimidation, interference with personal liberty, willful deprivation, or entering or remaining present at specified places when any Protected Persons are present, or granting exclusive possession of the residence or household or granting a stay away order is a Class A misdemeanor. Grants of exclusive possession of the residence or household shall constitute notice forbidding trespass to land. Any knowing violation of an order awarding parental responsibility (formerly custody) or care of a child or prohibiting removal or concealment of a child may be a Class 4 felony. Any willful violation of any order contempt of court. Any violation may result in fine or imprisonment.

TO PETITIONER: You cannot change the terms of this Order by your words or actions.

- If the Court has ordered no contact or given you sole possession of the residence, only the Court can allow the Respondent to contact you or return to the residence.
- If you want to have contact with the Respondent again, you MUST ask the Court, in a written motion to change vacate this Order of Protection.
- If you wish to ask the court for a Plenary Order of Protection which could be in force for up to two years, you MUST APPEAR in court on the date set for a hearing, which is listed on page 1 of this Order.

PARENTS OR GUARDIANS OF MINOR RESPONDENTS: The Court may hold you in contempt of court if a minor respondent in your care violates this Order and you have helped, encouraged, or directed the minor to do so.

NOTICE ABOUT ENFORCEMENT:

Order of Protection is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265), provided notice of the Order of Protection has been provided to the Respondent. Violating this Order of Protection may subject the Respondent to state and/or federal charges and punishment. 18 U.S.C. §§ 2261-2262. This Order is provided to the Respondent. Except under accountability circumstances, which should be assessed by the court, Petitioner cannot be guilty of violation of an Order of Protection.

DEFINITION OF TERMS USED IN THIS ORDER

Definitions are incorporated in and made a part of the Order to which they are attached.

Abuse: "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty, or willful deprivation but does not include reasonable direction of a minor child by a parent or person *in loco parentis*.

Adult with Disabilities: "Adult with Disabilities" means an elder adult with disabilities or a high-risk adult with disabilities. A person may be an adult with

Enter the Case Number given by the Circuit Clerk: 23 OP 07388

disabilities for purposes of this Act even though he or she has never been adjudicated an incompetent adult. However, no court proceeding may be initiated or continued on behalf of an adult with disabilities over that adult's objection, unless such proceeding is approved by his or her legal guardian, if any.

3. **Elder Adult with Disabilities:** "Elder adult with disabilities" means an adult prevented by advanced age from taking appropriate action to protect himself herself from abuse by a family or household member.
4. **Exploitation:** "Exploitation" means the illegal, including tortious, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
5. **Family or Household Members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.
6. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to Petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
 - a. creating a disturbance at Petitioner's place of employment or school; or
 - b. repeatedly telephoning Petitioner's place of employment, home or residence; or
 - c. repeatedly following Petitioner about in a public place or places; or
 - d. repeatedly keeping Petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by Petitioner or by peering in Petitioner's windows; or
 - e. improperly concealing a minor child from Petitioner, repeatedly threatening to improperly remove a minor child of Petitioner's from the jurisdiction or from the physical care of Petitioner, repeatedly threatening to conceal a minor child from Petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless Respondent was fleeing an incident or pattern of domestic violence; or
 - f. threatening physical force, confinement, or restraint on one or more occasions.
7. **High-risk Adult with Disabilities:** "High-risk adult with disabilities" means a person aged 18 or over whose physical or mental disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.
8. **Interference with Personal Liberty:** "Interference with personal liberty" means committing or threatening physical abuse, harassment, intimidation, or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.
9. **Intimidation of a Dependent:** "Intimidation of a dependent" means subjecting a person who is dependent because of age, health, or disability to participation in or the witnessing of, physical force against another or physical confinement or restraint of another which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.
10. **Neglect:** "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
 - a. the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse; or
 - b. the repeated, careless imposition of unreasonable confinement; or
 - c. the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance; or
 - d. the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
 - e. the failure to protect a high-risk adult with disabilities from health and safety hazards.

Nothing in this definition shall be construed to impose a requirement that assistance be provided to a high-risk adult with disabilities over his or her objection in the absence of a court order, nor to create any new affirmative duty to provide support to a high-risk adult with disabilities.
11. **Petitioner:** "Petitioner" may mean not only any named petitioner for the order of protection and any named victim of abuse on whose behalf the petition is brought, but also any other person protected by this Act.
12. **Physical Abuse:** "Physical abuse" includes sexual abuse and means any of the following:
 - a. knowing or reckless use of physical force, confinement or restraint; or
 - b. knowing, repeated and unnecessary sleep deprivation; or
 - c. knowing or reckless conduct which creates an immediate risk of physical harm.
13. **Stalking:** "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person or placing the person under surveillance or any combination thereof and:
 - a. at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint, and the threat is directed towards that person or a family member of that person; or
 - b. placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
 - c. placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or restraint.
4. **Willful Deprivation:** "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

EXHIBIT 4

CHRISTOPHER STOLLER - BACK WAGES THAT ARE OWED

From: kathy tucker (tuc228@yahoo.com)

To: info@susanamendoza.com

Cc: cns40@hotmail.com

Date: Wednesday, November 6, 2024 at 10:24 PM CST

Attached please find Christopher Stoller's letter to Comptroller Susanna Mendoza.



WAGE LOSS LETTER TO MENDOZA W ATTACHED EXHIBITS.pdf
1.1MB

EQUALJUSTICEPARTY.ORG

Christopher Stoller, Director

415 Wesley Avenue, Unit 39

Oak Park, Illinois 60302

Tel: (773) 746-3163

Email: cns40@hotmail.com

November 6, 2024

Office of the Illinois Comptroller

Attention: Susanna Mendoza

325 W. Adams Street

Springfield, Illinois 62704

info@susanamendoza.com

RE: *Christopher Stoller v. IDHS et al*

Case Number: 2024-SC-000102

**THIS LETTER IS FOR SETTLEMENT PURPOSES
PURSUANT TO FRCP 408 NON-DISCOVERABLE**

Dear Ms. Mendoza:

I write to you today because I am an employee of the State of Illinois and from 2016, I was working for the Illinois Department of Human Services as a home health care worker providing home health care to my severely disabled nephew, Michael Stoller. I had been taking care of Michael for 15 hours a day for the last six years with no incident.

On May 28, 2023, I was wrongfully terminated from caring for my nephew, Michael Stoller and I filed a Grievance Complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and they found sufficient evidence and the EEOC gave me a right to sue the Illinois Department of Human Services for my back wages ("**Exhibit 1**").

My Complaint was referred to the Illinois Department of Human Rights wherein they investigated my wrongful termination and informed The Illinois Department of Human Services that they would need to file an Answer to my Grievance Complaint ("**Exhibit 2**").

On February 22, 2024, the Illinois Department of Human Rights ruled in my favor ("**Exhibit 3**") and awarded me my back pay and found that the IDHS violated court orders (Judge Michael Hogan's Order of May 22, 2023, and Judge Sabra Ebersole's Order of July 12, 2023).

I hired Economist Stan Smith, Ph.D, President of Smith Economist Group and Mr. Smith calculated my back wages that I am owed from the Illinois Department of Human Services (“**Exhibit 4**”) and the total amount of back wages that I am owed is \$95,858.38.

On October 28, 2024, I filed with the Court in Kane County, my Notice of Filing (“**Exhibit 5**”) with the attached Illinois Department of Human Right’s 2/22/24 Administrative Order and Economist Stan Smith’s Report.

Since your office was in charge of issuing my checks in the past when I worked for the IDHS I am asking that you issue me a check in the amount of \$95,858.38 that I am owed from the IDHS for my back wages to my Illinois Payroll Card, Card Number 5115 5817 8251 7387, Exp. 10/25.

I spoke with Congressman Danny Davis who is the Congressman for the Seventh District of Illinois regarding this matter and he told me to write to you regarding this matter. Danny K. Davis, 2159 Rayburn Building, Washington, D.C. 20515.

If you have any questions, please do not hesitate to contact me via email cns40@hotmail.com or telephone (773) 746-3163.

Cordially,

Christopher Stoller

Christopher Stoller

EXHIBIT 1

EEOC RIGHT TO SUE LETTER



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Charlotte District Office
129 West Trade Street, Suite 400
Charlotte, NC 28202
(980) 296-1250
Website: www.eeoc.gov

DISMISSAL AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 02/01/2024

To: Christopher Stoller
W3786 Woodland Drive #522
Lake Geneva, WI 53147
Charge No: 440-2022-04480

EEOC Representative and email: JEREMY MOORE
Federal Investigator
jeremy.moore@eeoc.gov

DISMISSAL OF CHARGE

The EEOC has granted your request for a Notice of Right to Sue, and more than 180 days have passed since the filing of this charge.

The EEOC is terminating its processing of this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 440-2022-04480.

On behalf of the Commission,

Digitally Signed By: Elizabeth "Betsy" Rader
02/01/2024

Elizabeth "Betsy" Rader
District Director

Cc:

Kimberly Foy
DHS-Bureau of Civil Affairs
Harris Building 100 S Grand Avenue East, 3rd Floor
Springfield, IL 62762

Please retain this notice for your records.

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PWFA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

To make a FOIA request for your charge file, submit your request online at <https://eeoc.arkcase.com/foia/portal/login> (this is the preferred method). You may also submit a FOIA request for your charge file by U.S. Mail by submitting a signed, written request identifying your request as a "FOIA Request" for Charge Number 440-2022-04480 to the

District Director at Elizabeth "Betsy" Rader, 129 West Trade Street Suite 400, Charlotte, NC 28202.

To make a Section 83 request for your charge file, submit a signed written request stating it is a "Section 83 Request" for Charge Number 440-2022-04480 to the District Director at Elizabeth "Betsy" Rader, 129 West Trade Street Suite 400, Charlotte, NC 28202.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to <https://www.eeoc.gov/eeoc/foia/index.cfm>.

For more information on submitted Section 83 requests, go to <https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files>.

NOTICE OF RIGHTS UNDER THE ADA AMENDMENTS ACT OF 2008 (ADAAA)

The ADA was amended, effective January 1, 2009, to broaden the definitions of disability to make it easier for individuals to be covered under the ADA/ADAAA. A disability is still defined as (1) a physical or mental impairment that substantially limits one or more major life activities (actual disability); (2) a record of a substantially limiting impairment; or (3) being regarded as having a disability. *However, these terms are redefined, and it is easier to be covered under the new law.*

If you plan to retain an attorney to assist you with your ADA claim, we recommend that you share this information with your attorney and suggest that he or she consult the amended regulations and appendix, and other ADA related publications, available at: http://www.eeoc.gov/laws/types/disability_regulations.cfm.

“Actual” disability or a “record of” a disability

If you are pursuing a failure to accommodate claim you must meet the standards for either “actual” or “record of” a disability:

- ✓ **The limitations from the impairment no longer must be severe or significant** for the impairment to be considered substantially limiting.
- ✓ In addition to activities such as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, reading, bending, and communicating (more examples at 29 C.F.R. § 1630.2(i)), **“major life activities” now include the operation of major bodily functions**, such as: functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions; or the operation of an individual organ within a body system.
- ✓ **Only one** major life activity need be substantially limited.
- ✓ Except for ordinary eyeglasses or contact lenses, the beneficial effects of **“mitigating measures”** (e.g., hearing aid, prosthesis, medication, therapy, behavioral modifications)

are not considered in determining if the impairment substantially limits a major life activity.

- ✓ An impairment that is “**episodic**” (e.g., epilepsy, depression, multiple sclerosis) or “**in remission**” (e.g., cancer) is a disability if it **would be substantially limiting when active**.
- ✓ An impairment **may be substantially limiting even though** it lasts or is expected to last **fewer than six months**.

“Regarded as” coverage

An individual can meet the definition of disability if an **employment action was taken because of an actual or perceived impairment** (e.g., refusal to hire, demotion, placement on involuntary leave, termination, exclusion for failure to meet a qualification standard, harassment, or denial of any other term, condition, or privilege of employment).

- ✓ “Regarded as” coverage under the ADAAA no longer requires that an impairment be substantially limiting, or that the employer perceives the impairment to be substantially limiting.
- ✓ The employer has a defense against a “regarded as” claim only when the impairment at issue is objectively **both** transitory (lasting or expected to last six months or less) **and** minor.
- ✓ A person is not able to bring a failure to accommodate claim **if** the individual is covered only under the “regarded as” definition of “disability”.

***Note:** Although the amended ADA states that the definition of disability “shall be construed broadly” and “should not demand extensive analysis,” some courts require specificity in the complaint explaining how an impairment substantially limits a major life activity or what facts indicate the challenged employment action was because of the impairment. Beyond the initial pleading stage, some courts will require specific evidence to establish disability. For more information, consult the amended regulations and appendix, as well as explanatory publications, available at http://www.eeoc.gov/laws/types/disability_regulations.cfm.*

EXHIBIT 2

**DEPARTMENT OF HUMAN SERVICES' ANSWER TO
CHRISTOPHER STOLLER'S EEOC COMPLAINT**

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHRISTOPHER STOLLER,

Complainant

v.

ILLINOIS DEPARTMENT
OF HUMAN SERVICES,

Respondent

CHARGE NO. 440-2022-04480

RESPONDENT'S POSITION STATEMENT

In response to the above-referenced charge of discrimination, and based upon its information and belief from gathering documents and other factual evidence including that obtained through interviews, Respondent, Illinois Department of Human Services (IDHS), provides the attached information and states as follows:¹

- I. Allegation: Complainant was hired by Respondent on or around June of 2017. Complainant's current position is that of Caretaker.**

Response: Respondent denies this allegation. Complainant is not a State of Illinois employee and never has been. Complainant works as a Personal Assistant under the Home Services Program and is employed by a customer receiving home services and not by IDHS. Furthermore, Complainant has been the Personal Assistant on file since March 8, 2016. Respondent denies any further allegations.

- II. Allegation: Complainant was asked to buy gifts for the State of Illinois Evaluator who determines how many hours he is allotted to care for his client.**

Response: Respondent objects to this allegation in that it is vague and ambiguous. The position of Evaluator for the State of Illinois does not exist. Complainant fails to identify the State employee who allegedly asked for gifts from Complainant. Complainant fails to identify when and by whom this request was made and/or how. Hours allotted for the care of customers is determined annually using the Determination of Need (DON) assessment completed by the Home Services Counselor. Without further information Respondent cannot respond to this allegation. Respondent denies any further allegations.

¹ The documents attached to this response and the information otherwise provided in it are confidential pursuant to the Privacy Act of 1974, 5 U.S.C. § 552a, and regulations of the Equal Employment Opportunity Commission promulgated pursuant to that Act, 29 C.F.R. Part 1611.

III. Allegation: When Complainant refused and complained, his caretaker hours were reduced and was issued discipline.

Response: Respondent objects to this allegation in that it is vague and ambiguous. Complainant fails to identify who he complained to and when. Complainant fails to identify who reduced his caretaker hours and why, as well as, who issued disciplinary action to Complainant and when. As noted above, Complainant is not an IDHS employee and, therefore, is not subject to disciplinary action by IDHS. As a personal assistant, if there are any disciplinary issues or concerns, these are between the caretaker and the customer and are specifically addressed by the customer, not IDHS. Caretaker hours are determined by the score on the annual DON assessment. Without waiving the right to further objections, Respondent denies the allegation as stated.

IV. Allegation: Complainant believes he has been discriminated against because of his association with a disabled individual and retaliated against for engaging in a protected activity, in violation of the Americans with Disabilities Act of 1990. As amended.

Response: Respondent can neither admit nor deny what Complainant believes as that would call for speculation. Also, Respondent objects to this allegation, in that, Complainant alleges discrimination based on his association with a disabled individual which is not covered under the Americans with Disabilities Act. Complainant makes no mention of being disabled himself. Complainant further fails to identify what protected activity he engaged in, or when and what retaliatory action was imposed on him as a result or by whom. Without waiving further objections, Respondent denies the allegation as stated above.

Considering the above, the Charging Party's charge lacks merit and should be dismissed in its entirety with prejudice. If you have any questions regarding this matter, I may be reached at 312.793.4226 or lucy.gonzalez@illinois.gov.

Sincerely,

Lucy Gonzalez

Lucy Gonzalez, Lead Investigator
Bureau of Civil Affairs, IDHS
401 S. Clinton Street, 6th Floor
312.793.4226
Lucy.Gonzalez@Illinois.Gov
Attachment(s)
Cc: BCA Files

EXHIBIT 3

**ILLINOIS DEPARTMENT OF HUMAN RIGHTS FEBRUARY
22, 2024 ADMINISTRATIVE FINAL ORDER**

ILLINOIS DEPARTMENT OF
 Human Rights

JB Pritzker, Governor
James L. Bennett, Director

February 22, 2024

Sent via E-Mail to cns40@hotmail.com

Christopher Stoller
415 Wesley Avenue, Apt. 1
Oak Park, IL 60302

Re: Control Number: 24M0905.11
Respondent: IDHS and Anastasia Reyes

Dear Complainant:

After considering your communication it appears that a charge of discrimination cannot be filed with the Department of Human Rights (Department) for the reason(s) indicated below:

1. ☐ The Human Rights Act requires that a charge of discrimination be made within 300 days of the alleged civil rights violation. Your communication was not mailed or received within that period.
2. ☐ As of (DATE) you have voluntarily withdrawn your filing of discrimination.
3. ☐ The Employer or Entity your client is accusing of a violation is not subject to the provisions of the Human Rights Act.
4. ☐ You have not claimed that you were discriminated against because of a protected basis. The Human Rights Act prohibits discrimination on the basis of race; color; religion; sex; national origin; ancestry; age (40 and over); order of protection status; marital status; physical or mental disability, unrelated to ability to perform the job; military status; sexual orientation (including gender identity); pregnancy; unfavorable military discharge; sexual harassment; arrest record; conviction record; language; citizenship status; work authorization status; willful interference; retaliation for having openly opposed unlawful discrimination; and aiding, abetting, compelling or coercing a person to discriminate based on any of the categories mentioned.
5. ☒ You previously submitted a filing that contains identical parties, bases, harms, and dates. The previous filing is under EEOC #440-2023-10752.
6. ☒ OTHER: It is documented that the Illinois Department of Human Services (IDHS) was responsible for the cancellation of Complainant's insurance, as IDHS had wrongfully notified the Union that Complainant Christopher Stoller did not meet the requirement of working 15 hours a week. However, on May 22, 2023, Case #23OPO7368, Judge Hogan, ordered Michael Stoller to be returned to Christopher Stoller in an Order of Protection for 15 hours a day. The Illinois Department of Human Services violated the court order filed by Judge Sabra L. Ebersole on July 12, 2023, Case #23OPO7368, and as such, Complainant Christopher Stoller is entitled to his pay and benefits from the State of Illinois (attached are Stoller group exhibits).

The Department has closed your file. However, if you still believe that you have a charge of discrimination within this Department's jurisdiction, you must write to us within ten (10) days of receipt of this letter explaining your reasons. For your convenience, our email address is idhr.intake@illinois.gov. Always be sure to refer to your control number when writing.

Sincerely,

Eric Loera
Intake Human Rights Investigator
Intake Unit

IN2
Rev12/23

EXHIBIT 4

ECONOMIST STAN SMITH'S REPORT

Smith Economics Group, Ltd.

A Division of Corporate Financial Group
Economics / Finance / Litigation Support

September 10, 2024

Stan V. Smith, Ph.D.
President

Mr. Christopher Stoller
415 Wesley Ave Apt. 1
Oak Park, IL 60302

Re: Past Wage Calculation

Dear Mr. Stoller:

You have asked me to calculate the loss of wages to Christopher Stoller from May 22, 2023 through February 22, 2024.

Based on the Salary Earnings Statement dated February 28, 2023, Mr. Stoller's hourly rate was \$17.25 per hour for regular hours and \$25.88 per hour for overtime hours. According to Illinois Department of Human Rights letter dated February 22, 2024, Christopher Stoller cared for Michael Stoller 15 hour per day, which is 105 hours per week. Assuming 40 regular hours per week, this results in 65 hours of overtime per week.

Based on Christopher Stoller's hourly rate and hours, his weekly pay is estimated to be \$2,372.50. Based on the above assumptions, the total loss of wages from May 22, 2023 through February 22, 2024 is \$93,723.40 ► Table 1.

In addition to lost wages, it is my understanding that Christopher Stoller is entitled to interest on his lost wages based on 735 ILCS 5/2-1303, which indicates an interest rate of 6 percent per year when the debtor is a local government. I calculate the interest on the cumulate wages starting the week after the wages are accrued at a weekly interest rate of 0.115 percent. Based on these assumptions and the weekly wages discussed above, the total interest from May 22, 2023 through February 22, 2024 is \$2,134.98 ► Table 1.

The total past wages and interest to Christopher Stoller from May 22, 2023 through February 22, 2024 is \$95,858.38 ► Table 1.

If you have any questions, please do not hesitate to call me.

Sincerely,



Stan V. Smith, Ph.D.
President

Table 1

BACK WAGES AND INTEREST
MAY 22, 2023 - FEBRUARY 22, 2024

WEEK ENDING	WEEKLY WAGES	WAGES CUMULATE	6% INTEREST	INTEREST CUMULATE	WAGES & INTEREST
05/28/23	\$2,372.20	\$2,372.20	\$0.00	\$0.00	\$2,372.20
06/04/23	\$2,372.20	\$4,744.40	\$2.74	\$2.74	\$4,747.14
06/11/23	\$2,372.20	\$7,116.60	\$5.47	\$8.21	\$7,124.81
06/18/23	\$2,372.20	\$9,488.80	\$8.21	\$16.42	\$9,505.22
06/25/23	\$2,372.20	\$11,861.00	\$10.95	\$27.37	\$11,888.37
07/02/23	\$2,372.20	\$14,233.20	\$13.69	\$41.06	\$14,274.26
07/09/23	\$2,372.20	\$16,605.40	\$16.42	\$57.48	\$16,662.88
07/16/23	\$2,372.20	\$18,977.60	\$19.16	\$76.64	\$19,054.24
07/23/23	\$2,372.20	\$21,349.80	\$21.90	\$98.54	\$21,448.34
07/30/23	\$2,372.20	\$23,722.00	\$24.63	\$123.17	\$23,845.17
08/06/23	\$2,372.20	\$26,094.20	\$27.37	\$150.54	\$26,244.74
08/13/23	\$2,372.20	\$28,466.40	\$30.11	\$180.65	\$28,647.05
08/20/23	\$2,372.20	\$30,838.60	\$32.85	\$213.50	\$31,052.10
08/27/23	\$2,372.20	\$33,210.80	\$35.58	\$249.08	\$33,459.88
09/03/23	\$2,372.20	\$35,583.00	\$38.32	\$287.40	\$35,870.40
09/10/23	\$2,372.20	\$37,955.20	\$41.06	\$328.46	\$38,283.66
09/17/23	\$2,372.20	\$40,327.40	\$43.79	\$372.25	\$40,699.65
09/24/23	\$2,372.20	\$42,699.60	\$46.53	\$418.78	\$43,118.38
10/01/23	\$2,372.20	\$45,071.80	\$49.27	\$468.05	\$45,539.85
10/08/23	\$2,372.20	\$47,444.00	\$52.01	\$520.06	\$47,964.06
10/15/23	\$2,372.20	\$49,816.20	\$54.74	\$574.80	\$50,391.00
10/22/23	\$2,372.20	\$52,188.40	\$57.48	\$632.28	\$52,820.68
10/29/23	\$2,372.20	\$54,560.60	\$60.22	\$692.50	\$55,253.10
11/05/23	\$2,372.20	\$56,932.80	\$62.95	\$755.45	\$57,688.25
11/12/23	\$2,372.20	\$59,305.00	\$65.69	\$821.15	\$60,126.15
11/19/23	\$2,372.20	\$61,677.20	\$68.43	\$889.58	\$62,566.78
11/26/23	\$2,372.20	\$64,049.40	\$71.17	\$960.74	\$65,010.14
12/03/23	\$2,372.20	\$66,421.60	\$73.90	\$1,034.64	\$67,456.24
12/10/23	\$2,372.20	\$68,793.80	\$76.64	\$1,111.28	\$69,905.08
12/17/23	\$2,372.20	\$71,166.00	\$79.38	\$1,190.66	\$72,356.66
12/24/23	\$2,372.20	\$73,538.20	\$82.11	\$1,272.78	\$74,810.98
12/31/23	\$2,372.20	\$75,910.40	\$84.85	\$1,357.63	\$77,268.03
01/07/24	\$2,372.20	\$78,282.60	\$87.59	\$1,445.22	\$79,727.82
01/14/24	\$2,372.20	\$80,654.80	\$90.33	\$1,535.54	\$82,190.34
01/21/24	\$2,372.20	\$83,027.00	\$93.06	\$1,628.61	\$84,655.61
01/28/24	\$2,372.20	\$85,399.20	\$95.80	\$1,724.41	\$87,123.61
02/04/24	\$2,372.20	\$87,771.40	\$98.54	\$1,822.94	\$89,594.34
02/11/24	\$2,372.20	\$90,143.60	\$101.27	\$1,924.22	\$92,067.82
02/18/24	\$2,372.20	\$92,515.80	\$104.01	\$2,028.23	\$94,544.03
02/25/24	\$1,207.60	\$93,723.40	\$106.75	\$2,134.98	\$95,858.38

Hourly Rate:	\$17.25
Regular Hours:	40
Weekly Regular Pay:	\$690.00
Overtime Rate:	\$25.88
Overtime Hours:	65
Overtime Pay:	\$1,682.20
Total Weekly Pay:	\$2,372.20

EXHIBIT 5

NOTICE OF FILING WITH COURT

IN THE CIRCUIT COURT
SMALL CLAIMS DIVISION
KANE COUNTY, ILLINOIS

CHRISTOPHER STOLLER,

Plaintiff,

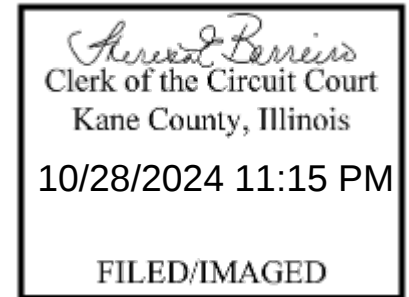
v.

ILLINOIS DEPARTMENT OF HUMAN SERVICES
(IDHS), GRACE HOU, Secretary of IDHS,
DAVID STONECIPHER, Director of the HSP Policy Unit,
ANASTASIA REYES, Case Director, AIDEN NUTTALL,
Individually, KWAME RAOUL, States Attorney Unit,
John Does 1 thru 10, Lawyers, agents, assigns, et al,

Defendants.

)
)
) CASE NUMBER:
) 2024-SC-000102
)

) JURY DEMAND
)



NOTICE OF FILING

TO: Jason Kantor, Esq.
Alexander Havia, Esq.
Civil Prosecutions, Government Representation
Office of the Illinois Attorney General
115 South LaSalle Street
Chicago, Illinois 60603

Adam Gohn, Esq.
Office of the Attorney General
115 South LaSalle Street
Chicago, Illinois 60603

Suzanna Mendoza, Comptroller
Illinois Office of Comptroller - Chicago
325 West Adams Street
Springfield, Illinois 62704

PLEASE TAKE NOTICE that on October 28, 2024, Plaintiff Stoller filed his Administrative Order issued from the Illinois Department of Human Rights on February 22, 2024, and Economist Stan V. Smith, Ph.D.'s Report of September 10, 2024, regarding back wages and interest.

The Illinois Department of Human Rights' Administrative Order was entered on February 22, 2024, and found that Plaintiff Christopher Stoller is entitled to his back wages of \$95,858.38 and reinstatement of his union health insurance benefits. Economist Stan V. Smith, Ph. D. of Smith Economics Group verified and calculated that Defendants owe Plaintiff Christopher Stoller \$95,858.38 in back wages.

6. ☒ OTHER: It is documented that the Illinois Department of Human Services (IDHS) was responsible for the cancellation of Complainant's insurance, as IDHS had wrongfully notified the Union that Complainant Christopher Stoller did not meet the requirement of working 15 hours a week. However, on May 22, 2023, Case #23OPO7368, Judge Hogan, ordered Michael Stoller to be returned to Christopher Stoller in an Order of Protection for 15 hours a day. The Illinois Department of Human Services violated the court order filed by Judge Sabra L. Ebersole on July 12, 2023, Case #23OPO7368, and as such, Complainant Christopher Stoller is entitled to his pay and benefits from the State of Illinois (attached are Stoller group exhibits).

Plaintiff Christopher Stoller was awarded back wages in the amount of \$95,858.38 and is to be compensated by Comptroller Suzanna Mendoza¹ for his back wages from the Illinois Department of Human Services. Comptroller Suzanna Mendoza is instructed to issue a check in the amount of \$95,858.38 made payable to Christopher Stoller.

Respectfully submitted,

/s/ Christopher Stoller

Christopher Stoller, Pro Se
415 Wesley, Unit 39
Oak Park, Illinois 60302
(773) 746-3163
Cns40@hotmail.com

¹Suzanna Mendoza, Comptroller issued Christopher Stoller's paychecks when he was employed by the IDHS. Attached is a paycheck that Ms. Mendoza issued.

ILLINOIS DEPARTMENT OF
 Human Rights

JB Pritzker, Governor
James L. Bennett, Director

February 22, 2024

Sent via E-Mail to cns40@hotmail.com

Christopher Stoller
415 Wesley Avenue, Apt. 1
Oak Park, IL 60302

Re: Control Number: 24M0905.11
Respondent: IDHS and Anastasia Reyes

Dear Complainant:

After considering your communication it appears that a charge of discrimination cannot be filed with the Department of Human Rights (Department) for the reason(s) indicated below:

1. ☐ The Human Rights Act requires that a charge of discrimination be made within 300 days of the alleged civil rights violation. Your communication was not mailed or received within that period.
2. ☐ As of (DATE) you have voluntarily withdrawn your filing of discrimination.
3. ☐ The Employer or Entity your client is accusing of a violation is not subject to the provisions of the Human Rights Act.
4. ☐ You have not claimed that you were discriminated against because of a protected basis. The Human Rights Act prohibits discrimination on the basis of race; color; religion; sex; national origin; ancestry; age (40 and over); order of protection status; marital status; physical or mental disability, unrelated to ability to perform the job; military status; sexual orientation (including gender identity); pregnancy; unfavorable military discharge; sexual harassment; arrest record; conviction record; language; citizenship status; work authorization status; willful interference; retaliation for having openly opposed unlawful discrimination; and aiding, abetting, compelling or coercing a person to discriminate based on any of the categories mentioned.
5. ☒ You previously submitted a filing that contains identical parties, bases, harms, and dates. The previous filing is under EEOC #440-2023-10752.
6. ☒ OTHER: It is documented that the Illinois Department of Human Services (IDHS) was responsible for the cancellation of Complainant's insurance, as IDHS had wrongfully notified the Union that Complainant Christopher Stoller did not meet the requirement of working 15 hours a week. However, on May 22, 2023, Case #23OPO7368, Judge Hogan, ordered Michael Stoller to be returned to Christopher Stoller in an Order of Protection for 15 hours a day. The Illinois Department of Human Services violated the court order filed by Judge Sabra L. Ebersole on July 12, 2023, Case #23OPO7368, and as such, Complainant Christopher Stoller is entitled to his pay and benefits from the State of Illinois (attached are Stoller group exhibits).

Smith Economics Group, Ltd.

A Division of Corporate Financial Group
Economics / Finance / Litigation Support

September 10, 2024

Stan V. Smith, Ph.D.
President

Mr. Christopher Stoller
415 Wesley Ave Apt. 1
Oak Park, IL 60302

Re: Past Wage Calculation

Dear Mr. Stoller:

You have asked me to calculate the loss of wages to Christopher Stoller from May 22, 2023 through February 22, 2024.

Based on the Salary Earnings Statement dated February 28, 2023, Mr. Stoller's hourly rate was \$17.25 per hour for regular hours and \$25.88 per hour for overtime hours. According to Illinois Department of Human Rights letter dated February 22, 2024, Christopher Stoller cared for Michael Stoller 15 hour per day, which is 105 hours per week. Assuming 40 regular hours per week, this results in 65 hours of overtime per week.

Based on Christopher Stoller's hourly rate and hours, his weekly pay is estimated to be \$2,372.50. Based on the above assumptions, the total loss of wages from May 22, 2023 through February 22, 2024 is \$93,723.40 ► Table 1.

In addition to lost wages, it is my understanding that Christopher Stoller is entitled to interest on his lost wages based on 735 ILCS 5/2-1303, which indicates an interest rate of 6 percent per year when the debtor is a local government. I calculate the interest on the cumulate wages starting the week after the wages are accrued at a weekly interest rate of 0.115 percent. Based on these assumptions and the weekly wages discussed above, the total interest from May 22, 2023 through February 22, 2024 is \$2,134.98 ► Table 1.

The total past wages and interest to Christopher Stoller from May 22, 2023 through February 22, 2024 is \$95,858.38 ► Table 1.

If you have any questions, please do not hesitate to call me.

Sincerely,



Stan V. Smith, Ph.D.
President

Table 1

BACK WAGES AND INTEREST
MAY 22, 2023 - FEBRUARY 22, 2024

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07/30/23	\$2,372.20	\$23,722.00	\$24.63	\$123.17	\$23,845.17
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12/31/23	\$2,372.20	\$75,910.40	\$84.85	\$1,357.63	\$77,268.03
01/07/24	\$2,372.20	\$78,282.60	\$87.59	\$1,445.22	\$79,727.82
01/14/24	\$2,372.20	\$80,654.80	\$90.33	\$1,535.54	\$82,190.34
01/21/24	\$2,372.20	\$83,027.00	\$93.06	\$1,628.61	\$84,655.61
01/28/24	\$2,372.20	\$85,399.20	\$95.80	\$1,724.41	\$87,123.61
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02/25/24	\$1,207.60	\$93,723.40	\$106.75	\$2,134.98	\$95,858.38

Hourly Rate:	\$17.25
Regular Hours:	40
Weekly Regular Pay:	\$690.00
Overtime Rate:	\$25.88
Overtime Hours:	65
Overtime Pay:	\$1,682.20
Total Weekly Pay:	\$2,372.20

SUSANA A. MENDOZA
COMPTROLLER - STATE OF ILLINOIS
325 W. Adams Street Springfield, IL 62704-1871

SALARY EARNINGS STATEMENT
FOR PAY PERIOD ENDING 12/15/22
SCHEDULED PAY DATE 01/13/23

10 999
1000

THIS IS NOT A DEPOSIT RECEIPT

WARRANT - TRACE NO.
SA7607611-0026922

STOLLER CHRIS

APT 522
5550 N KENMORE AVE
CHICAGO IL 60640-1880

1000

YEAR TO DATE EARNINGS AND TAXES

GROSS EARNINGS	5058.91
FEDERAL TAX	745.98
F.I.C.A.	387.00
STATE TAX	232.34
OTHER COMP.	.00
NON-TAX INCOME	.00
EARNED INC. CRED.	.00

YEAR TO DATE GROSS EARNINGS PLUS OTHER COMPENSATION
LESS NON-TAXABLE INCOME EQUAL TAXABLE GROSS.

CURRENT PERIOD EARNINGS AND DEDUCTIONS

SOCIAL SECURITY NO.	BASE PAY	OVERTIME PAY	LUMP SUM	ADDITIONAL GROSS	GROSS EARNINGS
***-**-7971	1380.00	3678.91	.00	.00	5058.91

DEDUCTIONS:					
FEDERAL TAX	745.98	STATE TAX	232.34	FICA	387.00
UNION DUES	37.50				

NOTE:
*GROSS PAY INCREASED BY THIS AMOUNT

TOTAL DEDUCTIONS	1402.82
EARNED INC. CRED.	.00
NET PAY	3656.09

YEAR TO DATE HOURS: 222.18; CURRENT REGULAR HOURS: 80.00;
CURRENT OT HOURS: 142.18; CURRENT TRAVEL HOURS: 0.00;

EXHIBIT 5

Re: CHRISTOPHER STOLLER - BACK WAGES THAT ARE OWED

From: David Szostak (david.szostak@susanamendoza.com)

To: tuc228@yahoo.com

Cc: cns40@hotmail.com

Date: Thursday, November 7, 2024 at 06:38 AM CST

Hello Kathy,

Thank you for contacting Comptroller Susana Mendoza's campaign/political email address.

For your government issue/question...

I have forwarded your email and PDF letter to the respective people at the Office of the Illinois Comptroller.

To make sure, and so you know, you can also submit or contact the Illinois Office of Comptroller directly. Please use the links below to submit your issue/question online or contact the Office over the phone.

1) Submit your issue/question to the Office online: <https://illinoiscomptroller.gov/office/sendusmessage/index.cfm>

2) Contact the Office over the phone: <https://illinoiscomptroller.gov/about/contact/our-mailing-addresses-phone-numbers/>.

These two options above will help you connect with the correct person at the Illinois Office of Comptroller much faster.

Regardless, I have personally forwarded your email to the Comptroller and her staff.

Thanks,
David

On Wed, Nov 6, 2024 at 10:24 PM 'kathy tucker' via info@susanamendoza.com <info@susanamendoza.com> wrote:

Attached please find Christopher Stoller's letter to Comptroller Susanna Mendoza.

--

David Szostak
Friends for Susana Mendoza
6351 W Montrose Ave #301
Chicago, IL 60634
o: 312-834-4210
c: 773-849-9333
www.susanamendoza.com

EXHIBIT 6

Smith Economics Group, Ltd.

A Division of Corporate Financial Group
Economics / Finance / Litigation Support

September 10, 2024

Stan V. Smith, Ph.D.
President

Mr. Christopher Stoller
415 Wesley Ave Apt. 1
Oak Park, IL 60302

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If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "Stan V. Smith".

Stan V. Smith, Ph.D.
President

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