

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

TERESA WOJCIK,)	
)	
Plaintiff,)	
)	
v.)	Case No. 16 C 10452
)	
CROWN CASTLE USA, INC.,)	
a Pennsylvania Corporation,)	
)	
Defendant.)	

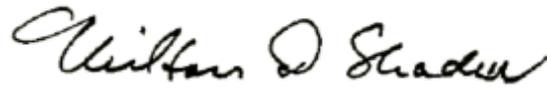
MEMORANDUM ORDER

Crown Castle USA, Inc. ("Crown Castle") has just filed its Answer and Affirmative Defenses ("ADs") to the Title VII action brought against it by its ex-employee Teresa Wojcik ("Wojcik"). This brief memorandum order is issued sua sponte to address this AD 1 advanced by Crown Castle:

To the extent that Count I complains of discrete acts of gender discrimination occurring outside the 180-day charge filing period for filing a Title VII claim, such acts are untimely and not actionable.

That AD obviously targets Complaint ¶ 10, which narrates a course of disparate treatment to which Wojcik was assertedly subjected throughout her employment with Crown Castle (Complaint ¶ 8, which has been admitted by Crown Castle, alleges that Wojcik "was the only female construction manager when she was hired and throughout her employment"). What AD 1 fails to recognize is that discriminatory acts that are not separately actionable because they are outside the statutory period for filing a Title VII claim are still appropriate for a plaintiff's pleading because they may be relevant for evidentiary purposes (for example, by being probative

as to a discriminatory mindset on the part of an employer). Hence AD 1 is stricken as insufficient in law, while Complaint ¶ 10 remains in Wojcik's pleading.

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

Milton I. Shadur
Senior United States District Judge

Date: January 9, 2017