

**COOK COUNTY COMMISSION ON HUMAN RIGHTS**

69 West Washington Street, Suite 3040  
Chicago, Illinois 60602

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Kristine S. LANIER, Complainant	)	
	)	
v.	)	Case No. 2006E019
	)	
NORTHROP GRUMMAN, Respondent	)	Entered: May 19, 2014
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**ORDER**

On May 15, 2006, Complainant Kristine S. Lanier (“Lanier”) filed a complaint against her former employer, Respondent Northrop Grumman (“Northrop”), alleging discriminatory termination on the basis of a disability and unlawful retaliation in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). In response, Northrop, through counsel, asserted that Lanier’s claim was time barred and, in the alternative, requested that the Cook County Commission on Human Rights (“Commission”) defer its investigation in favor of a pending JAMS arbitration between the two parties. Ltr. of M. Bean to J. Vidis (June 14, 2006). The Commission did not rule on the timeliness of Lanier’s complaint. Instead, on August 3, 2006, the Commission indicated that it would retain jurisdiction over Lanier’s complaint but defer its fact finding investigation to allow the JAMS arbitration to proceed and potentially resolve the dispute. Ltr. of M. Foster to M. Bean (Aug. 3, 2006). The Commission now dismisses Lanier’s pending complaint as moot.

The Commission is unaware of whether the JAMS arbitration in fact resolved the parties’ issues. The last update that the Commission received from the parties regarding the progress of the JAMS arbitration came on October 8, 2007. It stated in relevant part that:

Shortly, after the parties chose an arbitrator in late October 2006, Ms. Lanier requested that the proceedings be stayed for several months . . . Accordingly, the parties did not complete written discovery August 1, 2007, and the parties completed all depositions, including the deposition of Ms. Lanier, by September 6, 2007. The Arbitration Hearing was scheduled to take place in Rolling Meadows, Illinois on September 19 and 20, 2007.

On September 19th, the Arbitrator heard testimony from several witnesses. However, Ms. Lanier called the Arbitrator on September 20th and advised that she was too ill to appear to finish the arbitration, and she requested a continuance of the proceedings.

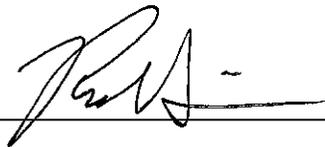
Ltr. of M. Suster to J. Tripani (Oct. 8, 2007). The Commission's subsequent attempts to determine whether the JAMS arbitration ever resumed have been unavailing. Northrop initially provided vague representations that the matter had been resolved but has never since produced documentation to that effect.

In conducting its own research into the matter, however, the Commission discovered that Lanier passed away on April 12, 2014. Kristine S. Lanier Obituary, available online at <http://www.legacy.com/obituaries/morrisdailyherald/obituary.aspx?pid=170650504> (last visited May 15, 2014). The death of a complainant typically renders a complaint pending before the Commission moot. See, e.g., *Richardson v. Northwest Community Hospital*, 2009E061, \*1 (Mar. 26, 2014) ("Closing moot cases clarifies that the complainant (or his successors) does not have an unresolved claim before the Commission and that the respondent (or its successors) is no longer under investigation."). The Commission's rules do provide that "[w]hen a party dies at any time during the pendency of the proceedings, such party's legal representative may be substituted for the deceased upon amendment of the Complaint," but such an amendment would be futile here. Northrop was correct in 2006 that Lanier's complaint to the Commission was time barred. By statute, complainants have just 180 days from the date of the alleged violation of the Human Rights Ordinance to file their complaints with the Commission. See Cook County Code of Ordinances ("County Code"), § 42-34(b)(1)(a). According to Lanier's complaint, she was unlawfully terminated on October 24, 2005. As a result, her May 15, 2006 complaint to the Commission was 23 days too late, a fact that cannot be overcome by any individual who steps into her shoes now.

For the foregoing reasons, the Commission DISMISSES complaint 2006E019 as MOOT.

May 19, 2014

By delegation:



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Ranjit Hakim  
Executive Director of the Cook County  
Commission on Human Rights