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Clerk, U.S. District Court, ILCD

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff, v. **RENT-A-CENTER EAST, INC.,** Defendant.	No. 16-CV-2222 Judge Colin Stirling Bruce Magistrate Judge Eric I. Long

DEFENDANT RENT-A-CENTER EAST, INC.'S RESPONSE TO PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

I. INTRODUCTION

The U.S. Equal Employment Opportunity Commission ("EEOC") complains that Rent-A-Center ("RAC") fired Megan Kerr because she is transgender or was transitioning her gender. Kerr was an assistant manager at RAC's Rantoul store from July 2010 until July 2014, when RAC discovered she used a RAC delivery truck for personal use, without permission, on a Sunday (July 20, 2014), a day all RAC stores are closed. RAC has strict policies prohibiting personal use of its vehicles.

RAC terminated Kerr's employment on July 21, 2014. The EEOC originally sought lost wages for periods after August 1, 2016, but has recently restricted their request to two full years of lost wages from July 21, 2014, through July 31, 2016. The EEOC alleges there is no factual dispute that Kerr diligently tried to find replacement employment during this time and could not – despite Kerr moving to the Chicago area, seeking a job that paid under $14.00 an hour, and having a resume that boasted a 4.0 grade point average ("GPA"), a Bachelor of Arts ("B.A.") degree, high military honors, and an EMT and paramedic certificate. The EEOC's position is

that Kerr upheld her obligations to find such employment and RAC's failure to mitigate defense should be dismissed.

The EEOC attempts a preemptive strike against RAC's failure to mitigate defense. This attempt is premature and futile. As a threshold matter, the Seventh Circuit has held that mitigation is a fact issue for the jury to be addressed *after* the plaintiff has established entitlement to damages. The EEOC presents no evidence whatsoever in its Motion for Partial Summary Judgment to address this burden – and, indeed, RAC contends in its own Motion for Summary Judgment that the EEOC has failed to raise even a genuine issue of material fact with regard to liability. The EEOC's Motion, however, is built on the unsupported assumption that it will prevail on liability and is accordingly entitled to damages. This faulty assumption renders the EEOC's Motion premature.

Moreover, material fact issues abound with regard to Kerr's job search and mitigation of damages. As an initial matter, while Kerr states that she applied to "hundreds" of positions following her employment with RAC and took her job search "seriously," RAC disputes this. There is no reason that the jury must accept her testimony, and given Kerr's propensity for exaggeration and untruthfulness, it is likely that the jury will reject it.[1] This Court has already noted Kerr's dishonesty when ruling upon the EEOC's Motion to Quash RAC's subpoenas on Kerr's employers, the military, and educational institutions, affirming that Kerr's lying may have impacted her ability to find work:

> While Kerr may wish to keep these records private, Kerr has admittedly misrepresented her success in the Army. Kerr submitted resumes to employers stating that she was conferred both an army service ribbon and an army combat ribbon, but later admitted in her deposition that she never received an army combat ribbon. Further, Kerr's resume stated that she reached a military rank and

[1] *See* ECF No. 36, RAC's Motion for Summary Judgment, which details the many versions of events Kerr has told. A jury is likely to dismiss everything Kerr says as untruthful.

> pay grade of E-6. However, Kerr's discharge form reflects a pay grade of E-4. Kerr clarified this inconsistency at her deposition by stating that she was "field promoted" to an E-6 but then was demoted to an E-4.
>
> --- --- ---
>
> Defendant has an interest in determining if Kerr misrepresented her military accomplishments on the resumes she submitted to employers after being terminated from Rent-A-Center. Kerr acknowledged that she misrepresented some of her military accomplishments, and Defendant therefore has good reason to suspect that she might still be misrepresenting her paygrade while in service. **These misrepresentations could have directly impacted her ability to find work after being terminated from Rent-A-Center.** Because of Kerr's past misrepresentations, the only way for Defendant to verify her accomplishments on these resumes is to review the official records. The EEOC's motion for a protective order is DENIED.

See ECF No. 31, Order re Motion to Quash at 3 (emphasis added), denying the EEOC's Motion to Quash. The Court also found that Kerr's dishonesty about one of her short employment stints after leaving RAC raised questions, including about mitigation:

> **Kerr's income during this time is directly related to the EEOC's claim for lost wages and Kerr's mitigation of damages.** The EEOC notes that it submitted verified tax transcripts for 2013, 2014, and 2015 and W-2 Forms and 1099 information for 2016. Therefore, the EEOC argues that Defendant is able to determine any wages earned during the backpay period. The EEOC has been unable to provide 2016 tax transcripts from the IRS because those reports are not yet available. Kerr worked at Demon Dawgs in 2016, and therefore, Defendant has only received tax information provided and verified by Kerr. And in the past, Kerr lied about her position with Demon Dawgs and even redacted pay stubs submitted to state court. Defendant has good reason to question the validity of the information provided by Kerr relating to her employment with Demon Dawgs. The EEOC's motion to quash the subpoena directed to Demon Dawgs is DENIED.

Id. at 4-5 (emphasis added). Perhaps more troubling to a future employer, Kerr's obvious lies on her resume about having a 4.0 GPA and obtaining a B.A. (from a community college that does not even offer such a degree), were noted by the Court:

> The EEOC seeks to quash subpoenas directed at two of Kerr's former schools. The subpoenas request any and all academic records pertaining to Kerr. One subpoena is directed to Moraine Valley Community College. Kerr's resume, used to obtain jobs after being terminated from Rent-A-Center, claims that she has a Bachelor of Arts from Moraine Valley Community College. But in her deposition, Kerr acknowledged that she never completed her degree. Kerr represented on her resume that she obtained a degree from this college, and later acknowledged that representation was false. This misrepresentation is relevant to Kerr's ability to find work after being terminated from Rent-A-Center.
>
> The other subpoena is directed to Grayson County College. Kerr claims that she received an EMT and/or paramedic certificate from Grayson, and Defendant seeks to issue the subpoena to establish if Kerr actually obtained this certificate. Although the EEOC states that there is no evidence that Kerr's claim of an EMT/paramedic certificate is false, Kerr's employment history shows no evidence that she ever worked as a paramedic. This coupled with the other misrepresentations identified above, is sufficient. Also, Kerr's possession of an EMT/paramedic certificate is relevant to Kerr's duty to mitigate damages after being terminated.

Id. at 6-7. As suspected, Kerr has no B.A. and has no paramedic certificate and again, Moraine does not even offer a B.A. degree.

It is also undisputed that Kerr's resumes contain so many obvious spelling mistakes that they reflect a lack of any sincere interest in finding a job, particularly with such seemingly intentional blunders on a resume purporting a 4.0 GPA while obtaining a B.A. Furthermore, Calvin Davis, a reference listed on Kerr's job applications, received *zero* calls on her behalf, something curious with the submission of so many resumes with such stand out qualifications for what are low paying jobs (under $15.00 an hour). Kerr failed to register for the Illinois Job Link program *despite a court order compelling her to do so*. She claimed to be a paramedic, yet failed to apply for a single paramedic position. Any one of these issues call into question the reasonableness of Kerr's job search – certainly all of them raise a fact issue sufficient to overcome summary judgment. The Seventh Circuit has upheld reductions in damages, or

denied summary judgment, where the record reflected far greater diligence than Kerr has shown here. These factual issues preclude the EEOC's premature request for summary judgment on RAC's mitigation defense.

II. RESPONSE TO PLAINTIFF'S UNDISPUTED MATERIAL FACTS

A. Undisputed Material Facts

1. Admit.

2. Admit.

6. Admit.

7. Admit.

8. Admit.

B. Disputed Material Facts

4. The assertion that "Kerr took her job search seriously" is based on a single, unsupported, self-serving statement in Kerr's deposition. *See* Exhibit 1, Excerpts from the Deposition of Megan Kerr ("Kerr Depo.") at 394:16-18. The evidence refutes the notion that Kerr took her job search seriously and the jury may well choose to disbelieve Kerr, even without this evidence. Her job search was called into question by the Sixth Judicial Circuit Court of Champaign County, which, in the course of child-support proceedings, ordered Kerr to search for jobs through the Illinois Job Link program – an order she apparently failed to comply with. *See* Exhibit 2, Sixth Judicial Circuit Court Records, RAC 000340-000345; *see also* Additional Material Fact no. 5. In addition, Kerr's resumes and job applications are rife with atrocious grammar and spelling mistakes, further undermining the notion that she took her job search "seriously," or that a prospective employer could reasonably be expected to take her application

seriously. *See* Exhibit 3, Kerr Resumes and Job Application, EEOC 0288-0291, 0301-0310, 0332-0334. Having such egregious and obvious errors on a resume pretending to be of a 4.0 GPA, B.A. degree holder would be a red flag to any employer.

5. RAC disputes the self-serving statement that Kerr "applied to hundreds of employers." No such records have ever been provided in this litigation. The fact that Kerr was unable to find employment for more than two years after working as an assistant manager for RAC, despite (albeit falsely) listing qualifications that would normally be impressive but which she did not actually have, including a B.A. with a 4.0 GPA and having an emergency medical technician ("EMT")/paramedic degree, call into question the veracity of this statement. *See* Ex. 3 at EEOC 0305-0306.

C. Disputed Immaterial Facts

None.

D. Undisputed Immaterial Facts

3. Admit.

E. Additional Material Facts

1. Kerr claims on her resume that she received a B.A. with a perfect 4.0 GPA from Moraine Valley Community College. Ex. 3 at EEOC 0305-0306.

2. Kerr testified that she did not in fact receive a degree from Moraine, rather it was just something she was "working on." Ex. 1, Kerr Depo. at 164:6-13.

3. Kerr's actual Moraine Valley Community College transcript (which the EEOC fought allowing RAC to obtain) reveals that Kerr signed up for five classes

in the Spring of 2015, received a federal Pell Grant, withdrew from four classes, and failed the fifth resulting in an overall GPA of 0.00. She signed up for four more classes in the Spring of 2016 and subsequently withdrew from all of them meanwhile collecting loans she had applied for to attend college. *See* Exhibit 4, Moraine Valley Transcript, RAC 000479. *Moraine Valley Community College does not even offer a B.A. degree, something that any employer would likely know as community colleges do not typically offer such degrees.*[2]

4. Kerr testified that she is a certified EMT and listed that credential on her resume. Ex. 1, Kerr Depo. at 152:14-22; Ex. 3 at EEOC 0305-0306. She also listed on her resume that she is a paramedic. However, while she enrolled in a paramedicine program at Grayson College, she did not complete the program. *See* Ex. 3 at EEOC 0305-0306; Exhibit 5, Grayson College Transcript, RAC 000407. There is no evidence that she has at any time applied for an EMT or paramedic position.

5. Kerr listed her U.S. army rank as E6 on her resume. *See* Ex. 3 at EEOC 0305-0306. Kerr's Certificate of Release or Discharge From Active Duty lists her pay grade as E4 – two levels lower than she claims on her resume. *See* Exhibit 6, U.S. Military Certificate of Release, RAC 000594.

6. Kerr listed a combat service ribbon from the U.S. army on her resume. *See* Ex. 3 at EEOC 0310. Kerr admitted that she never received a combat award, and her discharge records do not reflect that she received one. *See* Ex. 1, Kerr Depo. at 170:12-21; Ex. 6 at RAC 000594.

[2] *See https://www.morainevalley.edu/academics/academic-programs/.*

7. On May 18, 2016, as part of child-support proceedings, the Sixth Judicial Circuit Court of Champaign County ordered Kerr to search for five jobs per day and required Kerr to register with the Illinois Job Link program. Ex. 2 at RAC 000340. On July 6, 2016, the Court reduced this requirement to searching for two jobs per day, and noted that Kerr had failed to comply with the order to register with the Illinois Job Link program. *Id.* at RAC 000344-000345.

8. Kerr listed Calvin Davis as a reference on her resumes. *See* Ex. 3 at EEOC 0332-0334. Davis has never received a call from a prospective employer concerning Kerr. Exhibit 7, Excerpts from the Deposition of Calvin Davis ("Davis Depo."), at 17:21-18:8.

9. Kerr made numerous spelling errors on her resumes and job applications. *See* Ex. 3, EEOC 0288-0291, 0301-0310, 0332-0334.

10. At the time of her termination from employment with RAC, Kerr was an assistant manager earning $13.53 per hour. Exhibit 8, Declaration of Nakia Bell at ¶ 3.

III. ARGUMENT

A. Legal Standard for Summary Judgment

The court shall grant summary judgment only if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(a). The Court must construe the evidence and all inferences that reasonably can be drawn therefrom in the light most favorable to the nonmoving party. *Kvapil v. Chippewe City,* 752 F.3d 708, 712 (7th Cir. 2014); *McKinney v. Cadleway Props., Inc*., 548 F.3d 496, 499-500 (7th Cir. 2008).

B. Legal Standard for Mitigation of Damages

"The issue of mitigation is a question of fact for the jury." *Smith v. Great Am. Restaurants*, 969 F.2d 430, 438 (7th Cir. 1992). The general test of whether a plaintiff has failed to mitigate damages is two-pronged: the defendant must show that (1) the plaintiff failed to exercise reasonable diligence to mitigate her damages; and (2) there was a reasonable likelihood that the plaintiff might have found comparable work by exercising reasonable diligence. *Gaddy v. Abex Corp.*, 884 F.2d 312, 318 (7th Cir. 1989); *United States v. City of Chicago*, 853 F.2d 572, 578 (7th Cir. 1988); *Hutchison v. Amateur Electronic Supply, Inc.*, 42 F.3d 1037, 1044 (7th Cir. 1994). The plaintiff's burden to mitigate damages requires an honest, good faith effort to locate comparable employment. *See Smith*, 969 F.2d at 438-39.

C. The EEOC's Motion Is Premature, As It Has Not Proved Entitlement to Damages

As a threshold matter, the EEOC is putting the cart before the horse, as it must first prove damages before the issue of mitigation is properly before the Court. "*Once a plaintiff has established the amount of damages she claims resulted from her employer's conduct*, the burden of going forward shifts to the defendant to show that the plaintiff failed to mitigate damages or that damages were in fact less than the plaintiff asserts." *Hutchison v. Amateur Elec. Supply*, 42 F.3d 1037, 1044 (7th Cir. 1994) (emphasis added). Here, the EEOC has missed the crucial first step – demonstrating that it is entitled to damages in the first place. The EEOC has presented no evidence that it is entitled to damages, nor has it moved for summary judgment on its claims – implicitly conceding that its case has not been proved as a matter of law, and will not be proved (if at all) until trial. For this reason alone, the EEOC's Motion should be denied. *Cf. Smith*, 969 F.2d at 438 ("The issue of mitigation is a question of fact for the jury.")

D. The Record Demonstrates Ample Fact Issues Concerning Kerr's Mitigation of Damages

Even if it were proper to take up the EEOC's Motion at this juncture, the record is replete with genuine issues of material fact concerning the sufficiency of Kerr's mitigation of damages. The EEOC rests its Motion on two conclusory and self-serving assertions – first, that she applied for "hundreds" of jobs following her termination from RAC, and second that she took her job search "seriously." Even if these statements were true, which they are not, they are not enough to show that she mitigated her damages.

The record in this case calls both of Kerr's assertions into question. While Kerr baldly states that she applied for "hundreds" of jobs during the period from July 2014 to August 2016 (the period for which she seeks back pay damages), the evidence contradicts this assertion. Specifically, the record of proceedings concerning Kerr's child-support payments shows that the Sixth Judicial Circuit Court of Champaign County ordered her to search for five jobs per day on May 18, 2016, utilizing the Illinois Job Link program – calling into question why, if Kerr were already searching so diligently for work, a court would require her to do this. Ex. 2 at RAC 000340. Further, the record shows that Kerr failed to comply with these requirements, as the court's July 18, 2016 order notes that Kerr had failed to avail herself of the Illinois Job Link program – as she had been ordered to do, and as a reasonable job seeker would. *Id.* at RAC 000344-000345. The actions of the Sixth Judicial Circuit Court of Champaign County cast doubt on Kerr's purported diligence nearly two years after her termination.

Further calling Kerr's job search into question are the numerous spelling mistakes in her resumes and job applications, listed below and collected as Exhibit 3, none of which bear the hallmarks of a diligent job hunter or, put another way, a job hunter whom any prospective employer could be reasonably expected to employ:

Bates No.	Resume	Errors
EEOC0305 –EEOC0308	LinkedIn Resume MeganLynn Vanna "Artist/Owner"	"Apprentised" "Representive" "I vary quickly" "continueing" "millinion" "momentom" "revinue" (twice) "districtrict" "temporary posion" "millitarty" "safty" "motercycle" "Egland" "exsplosive"
EEOC0301–EEOC0302	Meganlynn Vanna "Leading the way, setting new standards"	"exstreemly" "profesional" "referbish" "merchendise" "personn'ls" "responcibilities" "profesional" "paymments" "proceedurs" "dallors" "sugniffigantly" "Highered and trained" "simelar" "carreers"
EEOC0309-EEOC0310	"Small Paper Route" with resume	"peruse" (pursue) "summery" (summary) "allow me grow" "will maintaining" (while...) "on sight" (on site)
EEOC0303-EEOC0304	Photo resume	"collage" (college)
EEOC0288-EEOC0291	My Indeed Resume	"exstreemly" "profesional"
EEOC0332-EEOC0334	Hostess application, 9217 S. Cicero Ave. Applied 10/15/2016	"beutiful"

All of these mistakes on resumes - while at the same time falsely representing that she has a BA with a perfect 4.0 GPA – certainly raise a red flag. A potential employer would discard any such

resume and move on to the next candidate. Whether Kerr did this on purpose to guarantee she would not have to go to work and could instead stay on unemployment benefits or if she just did not care has the same result and creates an issue about whether she mitigated her damages.[3] In addition, one of Kerr's references, Calvin Davis, testified that he received "zero" calls on her behalf – yet another fact inconsistent with the submission of "hundreds" of applications. Ex. 7, Davis Depo. at 17:21-18:8.

These undisputed facts call into question whether Kerr conducted any sort of active job search at all, never mind a "reasonably diligent" job search as required to mitigate damages. *See Hutchison*, 42 F.3d at 1044 (7th Cir. 1994) (noting that a plaintiff "cannot just leave the labor force after being wrongfully discharged in the hope of someday being made whole by a judgment at law"). In *Hutchison*, the Seventh Circuit affirmed a reduction in damages where the plaintiff testified that, over a four-year period, she submitted nearly 600 resumes to prospective employers, resulting in 40 personal or telephone interviews – numbers far exceeding Kerr's own estimates in this case, and severely undermining the grounds for the EEOC's Motion. *See id.*

Likewise, summary judgment has been denied on the issue of mitigation where the plaintiff, despite presenting a job search log showing her purported diligence, failed to hire a headhunter, subscribe to internet posting sites, or apply to temporary agencies or job placement agencies, among other issues. *Brandenburg v. Earl L. Henderson Trucking, Co., LLC*, No. 09-0558-DRH, 2011 U.S. Dist. LEXIS 78717, at *9-10 (S.D. Ill. July 20, 2011). Kerr has not presented evidence that she engaged in any of these activities, and the record affirmatively reflects that she failed to sign up for the Illinois Job Link program *despite being ordered by a*

[3] In addition, during Kerr's deposition, when RAC questioned Kerr on the spelling mistakes, the EEOC accused RAC of "harassing" her. *See* Ex. 1, Kerr Depo. at 397:13-398:11. The EEOC's motivation in filing the instant motion may be to ensure the jury does not hear about all of Kerr's lies and misrepresentations (a B.A., a 4.0 GPA, a Combat Award that she never earned, two fake promotions (to an E-6 [Sergeant First Class], a paramedic, and being a "District Manager" for RAC).

court to do so. *See* Ex. 2 at RAC 000340-000345. As the *Brandenburg* court concluded when faced with similar – though less severe – deficiencies, "Clearly, there are questions of fact as to whether plaintiff's attempt to find comparable employment was reasonable." *See id.*

The EEOC further argues that, even if Kerr's job search weren't sufficiently diligent, summary judgment is warranted because there is no evidence in the record that a comparable position was available to Kerr. At the time of her termination, Kerr was an assistant manager making $13.53 per hour. *See* Ex. 8 at ¶ 3. This is not a highly skilled or rare position nor an unusually high salary. A reasonable jury could conclude that similar employment was available to Kerr had she been diligent in seeking it – as one would expect based on Kerr's listed (albeit admittedly false) credentials, including a B.A. with a 4.0 GPA, an E6 rank from the military with a combat service ribbon, and having an EMT/paramedic degree.[4] *See* Ex. 3 at EEOC 0305-0306; *Brandenberg*, 2011 U.S. Dist. LEXIS 78717, at *8 (accepting defendants' argument that "plaintiff was not reasonable in her job search and therefore she did not attempt to find comparable employment.") Moreover, the Seventh Circuit has upheld reductions in damages due to mitigation on the grounds that "a plaintiff must adjust her notion of comparable employment after extended unsuccessful job searches," as Kerr claims here. *Hutchison*, 42 F.3d at 1045. RAC is accordingly entitled to present evidence on the issue of whether similar positions were available to Kerr.

IV. CONCLUSION

For the foregoing reasons, RAC respectfully requests that the EEOC's Motion for Partial Summary Judgment be denied.

[4] In particular, despite her assertion that she earned an EMT/paramedic degree – a valuable employment credential – Kerr does not specify that she applied for *any* EMT positions. *See, e.g.*, Exhibit 9, Plaintiff's Responses to Defendant's First Set of Interrogatories at no. 10.

Respectfully submitted,

/s/ J. Bradley Spalding

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Dated: July 5, 2017

CERTIFICATE OF SERVICE

I, **J. Bradley Spalding**, an attorney, certify that I served the attorney of record named below with a copy of **Defendant's Response to Plaintiff's Motion for Partial Summary Judgment** via ECF (*Electronic Case Filing*) on July 5, 2017:

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Exhibit 1

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff, No. 16-CV-2222

vs.

RENT-A-CENTER EAST, INC.,

Defendant.

The videotaped deposition of MEGAN VANNA, called for examination pursuant to the Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before CHERYL L. SANDECKI, Certified Shorthand Reporter for the State of Illinois, at 321 North Clark Street, Chicago, Illinois, on January 17, 2017, at the hour of 9:00 a.m.

REPORTED BY: CHERYL L. SANDECKI, CSR, RPR
LICENSE NO.: 084-03710
JOB NO.: 548721

THE VIDEOGRAPHER: The certified court reporter is Cheryl Sandecki. Please swear in the witness.

THE COURT REPORTER: Please raise your right hand.

(Witness administered an oath.)

MEGAN VANNA,

having been first administered an oath, was examined and testified as follows:

EXAMINATION

BY MR. TRUSEVICH:

Q. Good morning, Ms. Vanna. How are you?

A. I'm good.

Q. My name is Andy Trusevich and I represent Rent-A-Center in the action brought by the EEOC. Do you understand that?

A. Yes.

Q. And you and I have never met before or talked before, have we?

A. Correct.

Q. And I don't believe you have talked or met with Mr. Spalding before either?

A. No, sir.

Q. And have you ever given a deposition

A. Okay.
Q. I didn't write them, right? Right?
A. Right.
Q. Jason Morris didn't write them, right?
A. Correct.
Q. The EEOC didn't write these, right?
A. Correct.
Q. You wrote them?
A. Correct.
Q. All right. So then you have store manager Rent-A-Center 2005 to 2014. Do you see that?
A. Correct.
Q. All right. Then you list your education certificate EMT from Denison County College. Do you see that?
A. Correct.
Q. All right. And what is that?
A. Emergency medical technician.
Q. All right. So you are a certified EMT; is that correct?
A. Correct.
Q. All right. Then if you go to EEOC 290, you see under "Military Service."

THE WITNESS: Not officially, no.
BY MR. TRUSEVICH:
Q. Franchisee at Enzo's, '94 to '96. Do you see that?
A. Yes.
Q. Okay. Then it says under education, Moraine Valley Community College, bachelor of arts, BA, grade 4.0. Do you see that?
A. Yes.
Q. You do not have a BA degree?
MR. SHULTZ: Objection. Foundation.
THE WITNESS: I do not. It is just something I was working on.
BY MR. TRUSEVICH:
Q. Let's go to 310. And, by the way, you don't have any objection with us asking for your military records about that E -- to corroborate that you were ever an E6? You have no objection to that, do you?
MR. SHULTZ: Objection. Form.
THE WITNESS: I do, actually.
BY MR. TRUSEVICH:
Q. What would your objection be?
MR. SHULTZ: Objection.

A. I ETS'd.
Q. Well, if you left as and E6, wouldn't --
A. I didn't leave as an E6, I left as an E4.
Q. Right.
A. The field promotions, like you stated, didn't have any benefits with them. I simply filled a hole.
Q. And that's your testimony, correct?
A. Yes.
Q. Let's look at next what you got in the military, according to your resumé, Army Service Ribbon, right? Do you see that?
A. Yes.
Q. A combat service ribbon; do you see that?
A. That was misstated.
Q. You never got a combat service ribbon, did you?
A. No.
Q. In fact, you never got a meritorious service ribbon either, did you?
A. No, I did not.

MR. SHULTZ: Objection. Form and foundation.
THE WITNESS: I do understand.
BY MR. TRUSEVICH:
Q. All right. And part of that is, were you, Megan, reasonable in trying to find other employment. Do you understand that?
A. I understand.
Q. Because it would be unfair if somebody sued Rent-A-Center and just didn't take -- get in a job seriously and just sat unemployed to get back wages. You would agree that that would be unfair?
A. Correct?
MR. SHULTZ: Objection. Form.
BY MR. TRUSEVICH:
Q. And you took your job searches seriously, according to you, correct?
A. Yes.
Q. And you agree with the old adage that you only have one time to make a first impression, correct?
MR. SHULTZ: Objection. Form.
BY MR. TRUSEVICH:
Q. You've heard of that?

Q. All right. Under profile, it says "Megan Lynn Vanna." And this is one of the resumés that you submitted for employment after you left Rent-A-Center, correct?

A. Yes.

Q. Then it says "extremely." You would agree with me, looking at it now, that that's misspelled, correct?

MR. SHULTZ: Objection. Form.

THE WITNESS: Okay. I'm not sure what my misspelling has to do with anything.

BY MR. TRUSEVICH:

Q. This is your resumé that you put out for employment, correct?

A. Yes.

Q. The EEOC is suing us for trying to get back wages saying, look, she tried to get employment; if she couldn't get employment, you are liable for her back wages. Okay?

A. Okay.

Q. So I'm asking you: You sent this resumé out to prospective employers, correct?

A. Correct.

Q. All right. So would you agree with me

that in the first part of that "extremely" "orientated" and "professional," those are all misspelled, correct?

MR. SHULTZ: Objection to form. And this is argumentative. And I'm not sure what purpose this serves under Rule 26(C).

MR. TRUSEVICH: Well, then drop your claim for back wages and I will close the book.

MR. SHULTZ: I'm just noting that this is approaching the line of harassing and embarrassing. It says what it says.

MR. TRUSEVICH: If you want to -- if you want to stipulate all of the misspellings, I will be glad to do that.

MR. SHULTZ: I made my objection.

MR. TRUSEVICH: All right. Let's continue then.

BY MR. TRUSEVICH:

Q. You would agree that "extremely" -- and, again, this isn't to embarrass you. We all can make spelling errors.

But would you agree with me that "extremely oriented professional" is misspelled on the first page; do you see that?

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

No. 16-CV-2222

vs.

RENT-A-CENTER EAST, INC.,

Defendant.

I, MEGAN VANNA, being first administered an oath, say that I am the deponent in the aforesaid deposition taken on January 17, 2017; that I have read the foregoing transcript of my deposition, and affix my signature to same.

MEGAN VANNA

Subscribed and sworn to
before me this day
of , 2017.

Notary Public

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, CHERYL L. SANDECKI, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify that heretofore, to-wit, on January 17, 2017, personally appeared before me, at 321 North Clark Street, Chicago, Illinois, MEGAN VANNA, in a cause now pending and undetermined in the United States District Court, wherein U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION is the Plaintiff, and RENT-A-CENTER EAST, INC., is the Defendant.

I further certify that the said MEGAN VANNA was first administered an oath to testify the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony then given by said witness was reported stenographically by me in the presence of the said witness, and afterwards reduced to typewriting by Computer-Aided Transcription, and the foregoing is a true and correct transcript of the testimony so given by said witness as aforesaid.

I further certify that the signature to the

foregoing deposition was reserved by counsel for the respective parties and that there were present at the deposition the attorneys hereinbefore mentioned.

I further certify that I am not counsel for nor in any way related to the parties to this suit, nor am I in any way interested in the outcome thereof.

IN TESTIMONY WHEREOF: I certify to the above facts this 26th day of January, 2017.

CHERYL L. SANDECKI, CSR, RPR
LICENSE NO.: 084-03710

E-FILED
Wednesday, 05 July, 2017 05:00:41 PM
Clerk, U.S. District Court, ILCD

Exhibit 2

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

THE ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES *ex rel.* MEGAN KERR, Petitioner,	)	
vs.	)	13-D-97
KELLEY A. SHAFFER *f/k/a* CORNWELL-KERR, Respondent.	)	C03072697

FILED
SIXTH JUDICIAL CIRCUIT
MAY 18 2016
CLERK OF THE CIRCUIT COURT
CHAMPAIGN COUNTY, ILLINOIS

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EMPLOYMENT SEARCH ORDER

This cause having come before the Court on issues of support and/or reimbursement, and the Illinois Department of Healthcare and Family Services appearing by the Office of the Champaign County State's Attorney, and the Petitioner appearing personally, and the Court having heard the evidence and being fully advised in the premises, and having found that the Petitioner is an Obligor required to provide continuing support and/or reimbursement payments for a minor child but is unemployed or underemployed so as not to be able to meet adequately said obligation, and having further found that the said Petitioner is not unable to work due to medical or other disability, **DOES HEREBY ORDER THAT THE PETITIONER DO THE FOLLOWING AS CHECKED:**

(X) Seek employment by applying for 5 jobs per day, register with the Illinois Job Link Program within seven (7) days of the entry of this Order, and produce documentation of registration and a completed Work Search Record from the Illinois Job Link Program at each hearing.

( ) For Petitioners who live outside of the State of Illinois, seek employment by applying for _____ jobs per day, and producing detailed, written records to enable verification of Petitioner's efforts to obtain employment at every hearing date until further order of Court.

( ) Provide this Court with proof of enrollment and registration in the following programs:

- ( ) An accredited GED program
- ( ) The Salvation Army Job Program

Willful failure to comply with any of the terms and conditions of this Order may be considered contempt of Court and may result in incarceration. Nothing contained herein shall be deemed to suspend or modify any prior payment orders or relieve the Petitioner from compliance therewith, unless specifically ordered by the Court. This cause is continued for further hearing to 7/11/16 at 10:30 A.M. in Courtroom J, 101 E. Main St., Urbana, IL 61801. **IF YOU FAIL TO APPEAR, A BODY ATTACHMENT MAY BE ISSUED FOR YOUR ARREST. FAILURE TO APPEAR WITH REQUIRED DOCUMENTATION MAY RESULT IN THE ENTRY OF A DEFAULT SUPPORT ORDER.**

DATED: May 18, 2016 **ENTER:** [signature]
JUDGE

Prepared by:
☒ Gail Rogers ☐ Susan McGrath
Champaign County State's Attorney's Office, Child Support Division
101 E. Main St., P. O. Box 127
Urbana, IL 61803-0127
217/384-3850

Revised March 2016

FILED
SIXTH JUDICIAL CIRCUIT
18 JUN 1 6 2016
CLERK OF THE CIRCUIT COURT
CHAMPAIGN COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS, on behalf of HEALTHCARE AND FAMILY SERVICES, ex rel., MEGAN KERR, Petitioner,	)	No. 13-D-97 IV-D No. C03072697
vs.	)	
KELLEY SHAFFER f/k/a CORNWELL-KERR, Respondent.	)	

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NOTICE TO APPEAR FOR HEARING

TO: Kelley Shaffer Redacted

The above-captioned case has been scheduled for hearing regarding the **Employment Search Order entered May 18, 2016 and the Establishment of the Respondent's child support, child support arrearage and child support arrearage payment**, before the Honorable Brian L. McPheters, Courtroom 'J', 101 E. Main St., Urbana, Illinois, on July 6, 2016 at 10:30 am.

YOU MAY APPEAR AT THAT TIME AND PLACE IF YOU SO DESIRE. YOUR PRESENCE IS NOT REQUIRED.

AFFIDAVIT OF MAILING

Courtney Keller, being first duly sworn on oath, states she deposited the foregoing Notice to Appear in the U.S. Mail in Urbana, Illinois in a legibly addressed envelope with sufficient prepaid postage on this 16th day of June, 2016.

Courtney Keller

Courtney Keller

Champaign County State's Attorney's Office
Child Support Enforcement Division
101 E. Main Street, P. O. Box 127
Urbana, IL 61803-0127
(217) 384-3850

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

FILED
SIXTH JUDICIAL CIRCUIT
18 JUN 1 6 2016
CLERK OF THE CIRCUIT COURT
CHAMPAIGN COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS, on behalf of HEALTHCARE AND FAMILY SERVICES, ex rel. MEGAN KERR, Petitioner,	)	No. 13-D-97
vs.	)	IV-D No. C03072697
KELLEY SHAFFER f/k/a CORNWELL-KERR, Respondent.	)	

Scanned

NOTICE TO APPEAR AND PRODUCE DOCUMENTS

TO: Megan Vanna 11810 S. Komensky Alsip, IL 60803

The above-captioned case has been scheduled for hearing on the following:

- ☐ Complaint for Support; filed ;
- ☒ Employment Search Order; entered May 18, 2016;
- ☐ Motion for Non-Disbursement of Worker's Compensation Award; filed ;
- ☐ Order of Indirect Civil Contempt; filed ;
- ☐ Petition to Intervene; filed ;
- ☐ Petition to Determine the Existence of the Father and Child Relationship; filed
- ☐ Petitioner's Petition to ; filed ;
- ☐ Order to Appear; entered ;
- ☐ Respondent's Petition to Modify, Suspend or Abate Orders for Support; filed ;
- ☐ Respondent's compliance with the Order Number Purge Order; entered ;
- ☐ UIFSA Petition; filed ;
- ☐ Uniform Order for Support; entered ;
- ☒ Establishment of the Respondent's child support, child support arrearage and child support arrearage payment;
- ☐ ;

before the Honorable Brian L. McPheters, Courtroom J, 101 E. Main St., Urbana, Illinois, on July 6, 2016 at 10:30 am.

YOU MUST APPEAR AT THAT TIME AND PLACE READY FOR HEARING. IF YOU FAIL TO APPEAR, THE RELIEF REQUESTED MAY BE GRANTED BY DEFAULT. A BODY ATTACHMENT MAY ALSO BE ISSUED FOR YOUR ARREST.

PURSUANT TO SUPREME COURT RULE 214, YOU ARE FURTHER DIRECTED TO PROVIDE TO THE CHILD SUPPORT ENFORCEMENT DIVISION OF THE CHAMPAIGN COUNTY STATE'S ATTORNEY'S OFFICE, 101 E. MAIN STREET, P.O. BOX 127, URBANA, ILLINOIS 61803 THE FOLLOWING DOCUMENTS AT LEAST SEVEN (7) DAYS PRIOR TO THE SAID HEARING:

☐ A completed Affidavit of Financial Assets and Related Circumstances, a copy of which is attached hereto;

☒ Pay stubs or other evidence of income from any source, including self employment income, cash income, independent contractor income, unemployment benefits, Social Security benefits, workers compensation benefits, and the National Guard, for the period 5/18/16 - 7/6/16;

☐ Copy of your most recent income tax return together with all schedules, attachments, and W-2s and 1099s for the tax year ;

☒ Completed Job Diaries;

☐ Documentation of your application for and the status of your claim for Social Security disability benefits;

Scanned

☐ Documentation of your application for and the status of your claim for Worker's Compensation benefits;

☐ Documentation dated no more than 14 days prior to this hearing date outlining any medical condition prohibiting your ability to work;

☐ Proof of residence of the child(ren) in this case, including documents indicating where the child is registered for school;

☐ Proof of child support payments for ;

☐ Documentation of the status of your personal injury claim;

☐ Proof of any unemployment benefits you receive;

☐ Proof that you have enrolled the child(ren) in this case on your available medical insurance and/or dental insurance;

☐ Documentation of your back pay award from Social Security;

☐ Proof of your enrollment of the child(ren) in this case for Social Security benefits or unemployment benefits;

☒ Proof of enrollment and participation with the Illinois Job Link Program

Susan W. McGrath
Senior Assistant State's Attorney

AFFIDAVIT OF MAILING

Courtney Keller, being first duly sworn on oath, states she deposited the foregoing Notice to Appear and Produce Documents noted above, in the U.S. Mail in Urbana, Illinois in a legibly addressed envelope with sufficient prepaid postage to the following parties:

Megan Vanna Redacted Alsip, IL 60803

on this 11th day of June, 2016

Courtney Keller

Courtney Keller

Office of the Champaign County State's Attorney
Child Support Enforcement Division
101 E. Main St., P. O. Box 127
Urbana, IL 61803
217/384-3850

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
CHAMPAIGN COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS on behalf OF ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES ex rel. MEGAN KERR,
Petitioner,
vs.
KELLEY A. SHAFFER f/k/a CORNWELL-KERR,
Respondent.

Case: 13-D-97
IV-D No. C03072697

FILED
SIXTH JUDICIAL CIRCUIT
JUL 06 2016
CLERK OF THE CIRCUIT COURT
CHAMPAIGN COUNTY, ILLINOIS

SUMMARY ORDER
☐ Default ☒ Agreed

This cause having come for hearing before the court on the following matters:

☐ Complaint/Petition to/for _____ filed _____.
☐ Motion to _____ filed _____.
☐ Petition for Adjudication of Indirect Civil Contempt filed _____; Respondent _____ been arraigned on the petition on _____.
☐ Petition to Determine the Existence of the Father and Child Relationship filed _____.
☒ Employment Search Order entered May 18, 2016.
☐ Order of Indirect Civil Contempt entered _____.
☐ Petition to Set Child Support filed _____.
☐ Petitioner's Petition to Modify, Suspend, or Abate Orders for Support filed _____.
☐ Proof of Income.
☐ Uniform Order for Support entered _____.
☐ Petition to Intervene filed _____.
☒ Establishment of the Petitioner's child support, child support arrearage and support arrearage payment.
☐ Application of Petitioner's bond to child support arrearage

The Plaintiff, the Illinois Department of Healthcare and Family Services, appearing by: ☐ Gail Rogers ☒ Susan McGrath ☐ _____; and the Petitioner, Megan Vanna, appears/does not appear ☐ pro se ☐ and by attorney _____; and the Respondent, Kelley Shaffer appears/does not appear ☒ pro se ☐ in custody ☐ with an interpreter ☐ and by attorney _____; **and the Court having heard the evidence, and being fully advised in the premises, DOES HEREBY FIND:** Respondent is obligor

☐ Petitioner is served in open Court on this date with Petition for Adjudication of Indirect Civil Contempt filed in this cause on _____.
☐ Petitioner's net income is $ 413.88 ___weekly X biweekly___twice/month___monthly.

AND THE COURT HAVING HEARD THE EVIDENCE, DOES HEREBY ORDER:

☒ Uniform Order of Support is to enter with support set at $ 115.88 per biweekly effective 7/6/16 and arrearage payment of $ reserved per _____. Petitioner is/is not ordered to maintain dependent health insurance. Petitioner is/is not ordered to reimburse for dependent medical insurance in the amount of $_____ per _____.
☒ Court reserves the issues of support, arrearage and dependent health insurance.
☐ Order of Abatement is to enter effective _____ with arrearage _____ reserved for the next hearing date _____ established in the amount of $_____ in principal and $_____ in interest as of _____. Arrearage payment is _____ reserved for next hearing date _____ established in the amount of $_____ per _____ effective _____.
☐ Petitioner's arrearage is $_____ as of _____.
☐ Petitioner's unpaid purge is $_____ as of _____.
☒ Employment Search Order is entered/continued/suspended/vacated/reinstated 5.2 jobs/day. Petitioner is ordered to apply for the employment search programs at the unemployment

office (Illinois Job Link), and the Salvation Army, and to provide proof of said application and continuing compliance at the next hearing date. On this date Petitioner is/is not in compliance with the Illinois Job Link/Salvation Army. ☐ For Petitioners/Respondents who live outside of the State of Illinois, seek employment by applying for _____jobs per day, and producing detailed, written records to enable verification of Petitioner/Respondent's efforts to obtain employment at every hearing date.

☒ The Petitioner is to supply paystubs or other proof of income, from all sources (including self-employment and cash income), for the period starting with this court date, and continuing to the next court date.

☐ The Petitioner is to supply a complete Financial Affidavit at the next court date.

☐ The Petitioner is to supply a copy of his/her _____tax return together with all schedules, attachments, W-2s and 1099s by the next court date. Petitioner did/did not provide his/her _____ tax return

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☐ The ☐ Respondent ☐ Petitioner is to provide proof of residency of the minor child/children.

☐ The Petitioner is to provide documentation detailing any medical condition that prevents the Petitioner from working on a daily basis and his/her prognosis, diagnosis and treatment. Petitioner did/did not provide documentation.

☐ The Petitioner is to provide documentation and status of any application for Social Security benefits.

☐ The Petitioner is ordered not to disburse Social Security back pay awards without prior Court approval.

☒ The Petitioner is to provide documentation and status of any application for Worker's Compensation, personal injury, financial aid and tuition, and proof of enrollment. Petitioner did/did not provide documentation.

☐ The Petitioner is not to disburse Worker's Compensation, personal injury awards, lawsuit proceeds, from probate (inheritance) matters, or any gambling proceeds, without prior Court approval.

☒ All other pending issues are reserved.

☐ State is to order an accounting.

☐ The _____Petitioner's _____Respondent's Petition to Modify is _____granted _____denied _____set for further hearing to the next court date.

☒ Other: ~~[illegible]~~ 7/6/16.

☐ Other: The _____Petitioner's _____Respondent's address is protected.

Petitioner and Respondent must report all changes of addresses in writing to the Circuit Clerk, State's Attorney's Office Support Enforcement Division and Illinois Healthcare and Family Services within 7 days.

☐ The Petitioner and child must appear for genetic testing on _____ at _____ a.m.

☒ That this cause is continued to 8/10/16 at 10:30 a.m. before the Honorable Brian L. McPheters, Courtroom J, 101 E. Main St., Urbana, Illinois 61801.

THE ☒ PETITIONER ☐ RESPONDENT MUST APPEAR AT THE ABOVE DATE AND TIME. FAILURE TO APPEAR AS ORDERED BY THE COURT MAY RESULT IN A BODY ATTACHMENT BEING ISSUED FOR YOUR ARREST. IF YOU FAIL TO APPEAR, THE RELIEF REQUESTED MAY BE GRANTED BY DEFAULT.

Petitioner's Information:
Address: Redacted
City, State, Zip: Alsip, IL 60803
Phone: _____

Petitioner's Employer Information:
Name: _____
Address: _____
City, State, Zip: _____
Phone: _____

DATED: July 6, 2016 **ENTER:** Brian L. McPheters
JUDGE

Prepared by: ☐ Gail Rogers ☒ Susan McGrath ☐ _____; Child Support Division, Champaign County State's Attorney's Office, 101 E. Main St., P.O. Box 127, Urbana, IL 61803-0127; SupportEnforcement@co.champaign.il.us; Tel: (217) 384-3850 Fax (217) 384-3851

Last revised: February 2016

E-FILED
Wednesday, 05 July, 2017 05:00:42 PM
Clerk, U.S. District Court, ILCD

Exhibit 3

Find Jobs harleyquinn2717@gmail.com

My Indeed Resume

Profile

Meganlynn Vanna

Leading the way, setting new standards.

Exstreemly motivated, career orientated, technology savvy, real world profesional.

Redacted

Alsip, IL

60803

Redacted '@gmail.com

Redacted

View Resume

Forward Resume

Download Resume

Resume Privacy Settings

- Public
  Your resume will be visible to anyone, in accordance with our terms. Your phone number and email address are only provided to employers you apply to. Your street address is visible only to you.
- Private
  Your resume is not visible. Employers cannot find your resume, but you can attach it when you apply to a job.

Remove your resume

Need help?

Desired Job

Help us match you with your next job

Desired Job Types

Full-time, Contract

Desired Salary

$10 per hour

Employment Eligibility

Authorized to work in the US for any employer

Work Experience

Add

Store Manager/Sales Manager

Rent A Center - Plano, TX

2005 to 2014

Responsibilities Open and close the store. Order, assemble, repair, deliver and return, and referbi... more

Education

Add

EEOC0288

mortuary science
moraine valley - Palos Hills, IL
2014 to 2015

Certificate EMT
Denison Co. Col.

Skills

Add

Personnel Management (10+ years)

Business Management (10+ years)

Scheduling (10+ years)

Problem Solving (10+ years)

Problem Solving (10+ years)

Process Improvement (10+ years)

Money Handling (10+ years)

Office Management (10+ years)

Office: Word (10+ years)

Database Management (10+ years)

Mechanically Inclined (10+ years)

Account Management (10+ years)

Sales Management (10+ years)

Critical Thinking (10+ years)

Creative (10+ years)

Multi-Tasking (10+ years)

Business Development (5 years)

Budgeting (10+ years)

Customer Service (10+ years)

Computer Skills (10+ years)

Communication

Excel (10+ years)

Links

Add

Military Service

United States
Army
E-4
2001 to 2004

Awards

Add

Certifications/Licenses

Add

Bloodborne Pathogens
2015 to 2016

Groups

Add

Patents

Add

Publications

Add

Additional Information

Add any additional information you would like on your resume

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Meganlynn Vanna

Leading the way, setting new standards.

Alsip, IL 60803
Redacted @gmail.com - Redacted

Exstreemly motivated, career orientated, technology savvy, real world profesional.
Authorized to work in the US for any employer

WORK EXPERIENCE

Store Manager/Sales Manager

Rent A Center - Plano, TX - 2005 to 2014

Responsibilities
Open and close the store.
Order, assemble, repair, deliver and return, and referbish merchendise.
Higher, train, promote, manage personnel and personne'ls day to day responcibilities.
Sales
Customer service, resolving problems,servicing merchandise, accepting paymments in the store and in the field.
Make deposits, and end of day proceedurs.

Accomplishments
Brought 2 store to gross over 1Million dallors a year.
Increased sales and improved customer service in every store i have worked in.
Doubled customer accounts in every store i have worked in.
Reduced sugniffigantly loss, and operating cost in every store in worked in.
Highered and trained employees that have had simelar results in there carreers.

EDUCATION

mortuary science

moraine valley - Palos Hills, IL
2014 to 2015

Certificate EMT

Denison Co. Col.

SKILLS

Personnel Management (10+ years), Business Management (10+ years), Scheduling (10+ years), Problem Solving (10+ years), Problem Solving (10+ years), Process Improvement (10+ years), Money Handling (10+ years), Office Management (10+ years), Office: Word (10+ years), Database Management (10+ years), Mechanically Inclined (10+ years), Account Management (10+ years), Sales Management (10+ years), Critical Thinking (10+ years), Creative (10+ years), Multi-Tasking (10+ years), Business Development (5 years), Budgeting (10+ years), Customer Service (10+ years), Computer Skills (10+ years), Communication, Excel (10+ years)

MILITARY SERVICE

Service Country: United States
Branch: Army
Rank: E-4
2001 to 2004

CERTIFICATIONS

Bloodborne Pathogens
2015 to 2016

MeganLynn Kerr

Objective

I am looking for a challenging, rewarding, exciting career with a open minded and expanding

company such as yours. I want to challenge myself. I want to show that I have a lot to offer and a lot that I can bring to the table and your company.

Education

Fisher Jr.Sr. High Fisher Il -High school

Parkland Collage -G.E.D.

I got a G.E.D. due to family issues I feel it was an advantage for me because I Had to pass the test and prove what I know.

Grayson County Collage –Emergency Medical Tech

After the military I wanted to give something back to the community.

Awards

Multiple Awards for scouting -please ask for details

Multiple Military Awards -please ask for details

Work Experience

95/98 Enzo Pizza -Owner

98/01 U.S. Army -Soldier Explosive Ordinance Disposal. Tech.

01/05 FX/CGX Game Exchange –Franchisee

05/Current Rent A Center –Assistant Manager.

14/Current InksMistress tattoo –Owner/Artist

References

Kelley Shaffer

(217) 418-2400

Russell Weideman

(815) 383 6748

Primary Business Address
Redacted
Rantoul, Ill
61866
Phone: Redacted
Fax:
E-mail: Redacted

Home : 105 E State Apt 2 Paxton, Il

Cell Phone: (217) 550– 8648

Email:

HarleyQuinn2717@gmail.com

MeganLynn Kerr

Languages

Place your text here. Delete this text and heading if you don't need them.

Accreditation

Place your text here. Delete this text and heading if you don't need them.

Patents and Publications

Place your text here. Delete this text and heading if you don't need them.

Interests and Activities

Place your text here. Delete this text and heading if you don't need them.

Hobbies

Place your text here. Delete this text and heading if you don't need them.

Computer Skills

Place your text here. Delete this text and heading if you don't need them.

Licenses and Certificates

Place your text here. Delete this text and heading if you don't need them.

MeganLynn Vanna

Artist/Owner

Redacted '@gmail.com

Summary

Observe, Engineer, Overcome.

Experience

Project Manager at Hellfire Club
December 2015 - Present (11 months)
independent local musician.

artist/Owner at InksMistress Tattoo
February 2010 - Present (6 years 9 months)
Apprentised under bombshell tattoo in Sherman Tx and continued there as an artist after bombshell became The Yellow Rose Under new management and continued to work as an artist till it closed.
I moved to Illinois for family reasons and
opened Ink's Mistress in Rantoul IL early 2013.

District General Manager at Rent-A-Center
September 2005 - July 2014 (8 years 11 months)
Highered mid year in Sherman tx as a Customer Account Representive I vary quickly gained customer accounts tripling my Accounts with in a year.
Under new store management I was promoted to Assistant store manager Credit
Helping to growing the store to over a millinion dollars in revinue I was again promoted Assistant Manager Sales
continueing to maintain momentom I was promoted to Store Manager of a failling store in Sherman Tx
After increasing that stores revinue to just under 1 million dollars i was again promoted to District Manager. I moved to Illinois.
During my transition the former districtrict manager did not vacate his position. And i was offered a temporary posion as a sales leader.
Till a District Manager position opened up.

I left to run my own business.

Co Owner, Mechanic, project manager, designer at Zombie Fish Cycles
February 2001 - September 2005 (4 years 8 months)
Custom motercycle/ Racing Company

Soldier at U.S.Army
June 1997 - June 2001 (4 years 1 month)
Exsplosive Ordinance Disposal

Basic trainning: Fort Jackson S.C.
AIT: Egland AFB Fl, Red stone Arsenal Md.
Home location: Fort Hood, Tx -1st cavalry/4th Id
64th Ordinance Corps.
Rank E-6

Description of duties: To disarm commercial and private ordinance.
To maintain millitarty and civilian safty.

Franchisee at Enzo's
October 1994 - June 1997 (2 years 9 months)
Restaurant Owner and Executive Chef.

Skills & Expertise

Management
Microsoft Office
Photography
Graphic Design
Sales
Art
Social Networking
Customer Service
Illustrator
Painting

Education

Moraine Valley Community College
Bachelor of Arts (B.A.), Fine/Studio Arts, General, 2014 - 2015
Grade: 4.0
Grayson County College
medical sciences, Emergency Medical Technology/Technician (EMT Paramedic), 2004 - 2005

Volunteer Experience

Project Coordinator at The Modified Dolls
December 2014 - November 2015

Meal preparation, Confidant at The Crib

December 2015 - Present

Prepare food for homeless kids.

MeganLynn Vanna

Artist/Owner

Redacted '@gmail.com

Linked in.

Contact MeganLynn on LinkedIn

MeganLynn Kerr

I started early with a small paper route. And grew it in to a big paper route covering the town I grew up in back when newspapers were still the best way to get daily news. Then, I moved in to a small business of my own. That carried me in to high school. I moved on to owning a franchise store. But, I wanted to see the world so I joined the military. And was not disappointed. I took a job with a billion dollar corporation I excelled to a point but became frustrated with my inability to continue to move forward. So now I'm looking for that opportunity in your company.

I choose to peruse a career and in doing so I did not finish high school in the traditional sense. I grew up in a small town with no options for alternative education so I choose to get a G.E.D. While in the military, I received an extensive education in what would in translate to mechanical engineering and medical sciences. When I returned to being a civilian I continued to cultivate my medical sciences education in to an EMT certificate issued by Grayson county college in Denison, TX. I am currently continuing my education at Moraine Valley and planning to transfer to Worsham College.

In summery I am a motivated person. I have set lofty goals for myself and I have strived to achieve them. I want a career that will not only help me set new goals. But, allow me grow as a person. And as a professional.

Work History

2001-2004

United States Army Explosive Ordinance Disposal Technician.

Skills: discipline, self-respect, and leadership.

Experience: Medical triage, First Aid, Mechanical Engineering,

Achievements/ Accolades:

Army service ribbon

Combat service ribbon

Meritorious service ribbon

E.O.D. service pin

2004-2014

Rent-A-Center sales manager

Skills: installation, repair, and service of merchandise. Management of credit standards, Management of sales goals. Management of customer service, management of day to day store operations

Experience: Accounts Manager, Credit Manager, Sales Manager. Assistant store Manager, Store Manager Assistant District Manager. Personnel management

Achievements/ Accolades:

Grew multiple stores from 300 to 800 accounts in one year.

Maintained credit and sales standards through entire employment will maintaining positive customer report.

Reduced repair / service costs by doing on sight repairs $10,000 in one year.

2014-2015

Tattoo Artist Ink's Mistress Tattoo self employed

Skills: create and design original art work.

Experience: Owner artist

Certifications: blood borne pathogens.(current till 2016)

Achievements/ Accolades: Extensive portfolio

What job are you looking for? 60803

Hi, MeganL...! Job Seekers Employers Post a Job

Jobs Profile Settings

Employment Application:

MeganLynn Vanna

EMPLOYER INFORMATION

Employer

IL - Oak Lawn 9217 S. Cicero Ave

Location

IL - Oak Lawn 9217 S. Cicero Ave
Oak Lawn , IL 60453

Job Title

Host/Hostess

Location contact

Hiring Manager

Applied

10/15/2016

APPLICANT INFORMATION

Name and Address:

MeganLynn Vanna
Redacted
Alsip, IL 60803

Primary Phone

Redacted

Email:

Redacted @gmail.com

EXPERIENCE

Rent a Center | Plano , TX

manager
October 2005 to July 2014
Responsibilities
manager day to day operations including personnel and inventory

Currently Employed?
No
What was the name of your supervisor?

Inks Mistress tattoo and piercing | Rantoul il, IL

Owner artist
February 2014 to October 2016
Responsibilities
Create beutiful works of art Manage the day to day operations of a small business

Currently Employed?
No
What was the name of your supervisor?

EDUCATION

Grayson county college | Denison tx, TX

Medicine — Graduated

Moraine valley | palos Hills, IL

Art, mortuary science — Still Attending

REFERENCES

Calvin Davis | 972-801-1100

Mentored Me

alexander ottway | 000-010-1100

Supervised Me

ADDITIONAL QUESTIONS

Language Preference Preferencia de Idioma

English

$5,815 GRANTS FOR COLLEGE

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(/)

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Post jobs (/employers/post-a-job/?ref=hbtfooter_goo_branddesktop_saj_snagajobkeyword_device=c_ad=151729652340_rank=1t1_kw=snag+a+job_match=p_plcmnt=_loctn=9016944)
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Exhibit 4

United States District Court

FOR THE Central DISTRICT OF ILLINOIS
Urbana DIVISION

U.S. Equal Employment Opportunity Commission	)	Civil Action No: 2:16-CV-02222
vs.	)	
Rent-A-Center East, Inc.	)	

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

TO: Custodian of Records for: **MORAINE VALLEY COMMUNITY COLLEGE**
9000 COLLEGE PARKWAY, ROOM S116, PALOS HILLS, IL 60465

_X_ *Production*: **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:
any and all academic records, including but not limited to, attendance records, SAT scores, test scores, grades, scholastic records, ARD records, Homebound records, medical records, speech therapy records, physical therapy records, correspondence and/or memoranda including but not limited to prior grade records and any type documents contained in your files and/or offices pertaining to Megan Kerr fka Jason Kerr; D.O.B.Redacted; SSN: Redacted

PLACE	DATE AND TIME
MORAINE VALLEY COMMUNITY COLLEGE 9000 COLLEGE PARKWAY, ROOM S116 PALOS HILLS, IL 60465	INSTANTER

_____ *Inspection of Premises:* **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

PLACE	DATE AND TIME

The following provisions of Fed. R. Civ. P. 45 are attached - Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 4/11/17

CLERK OF COURT

OR

_____ J. Bradley Spalding IV
(Signature of Clerk or Deputy Clerk) *(Attorney's signature)*

The name, address, e-mail address, and telephone number of the attorney representing the Defendant, who issues or requests this subpoena, are:
J. Bradley Spalding / Littler Mendelson, P.C.
1301 McKinney Street
Suite 1900, Houston, TX 77010
Phone: 713-951-9400 / Fax: 713-951-9212 / bspalding@littler.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in the case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 2:16-CV-02222

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this is subpoena for *(name of individual and title, if any)* _____ on *(date)* _____

☐ I served the subpoena by delivering a copy to the named person as follows: _____ on *(date)*_____; or

☐ I returned the subpoena unexecuted because _____

_____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of $_____.

My fees are $ _____ for travel and $ _____ for services, for a total of $ _____.

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

TRANSLUCENT GLOBE ICONS MUST BE VISIBLE FROM BOTH SIDES OF TRANSCRIPT WHEN HELD TOWARD A LIGHT SOURCE

Student Transcript

Moraine Valley Community College
9000 W. College Parkway, Palos Hills, IL 60465-2478
(708) 974-5730

Name: Megan L. Kerr
Student ID Number: 0719974
01/28

SEMESTER-YEAR	PREFIX	COURSE NO	IAI NUMBER	COURSE DESCRIPTIVE TITLE	GRADE	SEM. HRS.	POINTS
2015SP	BIO	111	L1 910L	General Biology I	W	0.00	0.00
	COL	101		College:Chngs,Challngs,Choice	F	0.00	0.00
	COM	101	C1 900	Composition I	W	0.00	0.00
	MTH	095		Beginning Algebra	W	0.00	0.00
	PSY	101	S6 900	Introduction to Psychology	W	0.00	0.00
2016SP	ART	101		Drawing I	W	0.00	0.00
	BIO	111	L1 910L	General Biology I	W	0.00	0.00
	COM	101	C1 900	Composition I	W	0.00	0.00

*CLEP	*TRANSFER	ADV. PLACEMENT	HOURS EARNED	HOURS ATTEMPTED	GRADE POINTS	POINT AVERAGE	DATE
			0.00	25.00	0.00	0.000	04/20/201

*NOT INCLUDED IN G.P.A.

CUMULATIVE RECORD

Beatriz Ruiz, Registrar

A PHOTOCOPY OF THIS TRANSCRIPT IS NOT OFFICIAL

THE WORDS MORAINE VALLEY COMMUNITY COLLEGE APPEAR IN WHITE PRINT ACROSS THE FACE OF THIS RECORD

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Exhibit 5

IN THE UNITED STATES DISTRICT COURT
FOR THE Central DISTRICT OF ILLINOIS
Urbana DIVISION

U.S. Equal Employment Opportunity Commission	§	
vs.	§	Civil Action No. 2:16-CV-02222
Rent-A-Center East, Inc.	§	

DIRECT QUESTIONS TO BE PROPOUNDED TO CUSTODIAN OF RECORDS FOR:

Custodian of Records for: GRAYSON COLLEGE (Academic)

Records Pertaining to: Megan Kerr fka Jason Kerr

Type of Records: any and all academic records, including but not limited to, attendance records, SAT scores, test scores, grades, scholastic records, ARD records, Homebound records, medical records, speech therapy records, physical therapy records, correspondence and/or memoranda including but not limited to prior grade records and any type documents contained in your files and/or offices pertaining to Megan Kerr fka Jason Kerr; D.O.B. Redacted ; SSN: Redacted

1. Please state your full name, address, telephone number, occupation and official title.
   ANSWER Christy Ann Klemiuk, 6101 Grayson DR Denison TX, Registrar,
2. I am the custodian for Grayson College
   (Please insert facility or practitioner name.)
3. Have you received a subpoena duces tecum for the production of those documents listed in question number four?
   ANSWER Yes
4. Are you among those who have possession, custody, control of, or access to any and all academic records, including but not limited to, attendance records, SAT scores, test scores, grades, scholastic records, ARD records, Homebound records, medical records, speech therapy records, physical therapy records, correspondence and/or memoranda including but not limited to prior grade records and any type documents contained in your files and/or offices pertaining to Megan Kerr fka Jason Kerr; D.O.B. 01/28/1976; SSN: xxx-xx-2717?
   ANSWER Yes
5. Were the aforementioned records made in the regular course of business of your employer?
   ANSWER Yes
6. Was it in the regular course of business of the above listed for a person with knowledge of the act, event, condition, opinion, or diagnosis recorded to make the record or to transmit information thereof to be included in such record?
   ANSWER Yes
7. State whether these records were made at the time or shortly after the time of the transactions recorded?
   ANSWER Yes
8. Were these records kept as described in the preceding questions?
   ANSWER Yes
9. Does the source of the information, and the method and circumstance of its preparation, establish the trustworthiness of the records?
   ANSWER Yes

received 16-01-17

10. Please release exact duplicates of the records as requested in the subpoena duces tecum or the originals thereof for photocopying for attachment to this deposition. Have you done as requested? If not, why not?
ANSWER Yes

11. Are there any records, documents, papers, correspondence or tangible matters of any kind pertaining to Megan Kerr fka Jason Kerr that you have not provided to the notary public taking your deposition?
ANSWER NO

12. Please describe all papers, documents, records, correspondence, or tangible matters of any kind that you have not provided to the notary public taking your deposition and explain why you have not provided them.
ANSWER N/A

13. Are you aware that it may be necessary to subpoena you or your employer to court at the time of the trial of this case, if you have not provided to the notary public taking your deposition all papers, documents, records, correspondence, or tangible matters of any kind pertaining to Megan Kerr fka Jason Kerr?
ANSWER NO

Christy L Kl
WITNESS (Custodian of Records)

Before me, the undersigned authority, on this day personally appeared Christy Klemiuk, custodian of records for the above listed, known to me to be the person whose name is subscribed to the foregoing instrument in the capacity therein stated, who being first duly sworn, stated upon his/her oath that the answers to the foregoing questions are true and correct. I further certify that the records attached hereto are exact duplicates of the original records.

SWORN TO AND SUBSCRIBED before me this 27th day of April, 2017.

RHONDA MARROQUIN
Notary Public, State of Texas
My Commission Expires
August 12, 2018

Rhonda Marroquin
NOTARY PUBLIC

GRAYSON COLLEGE 6101 GRAYSON DRIVE DENISON, TEXAS 75020-8299

4/27/2017

STUDENT OFFICIAL TRANSCRIPT

Student Name : KERR, JASON MICHAEL

Student ID : 157006426

Provided Solely for:
JASON MICHAEL KERR

Major: Paramedicine

Core Curriculum

Curriculum	CurriculumHours	MinimumHours	CurriculumMet
010 Communications	0.00	6	No
020 Mathematics	0.00	3	No
030 Life and Physical Sciences	0.00	6	No
040 Language, Phil, and Culture	0.00	3	No
050 Creative Arts	0.00	3	No
060 American History	0.00	6	No
070 Government, Poli Science	0.00	6	No
080 Social & Behavioral Science	0.00	3	No
090 Component Area Option	0.00	6	No

TSI Compliant

Math		Reading		Writing	
Yes		Yes		Yes	
ACMP	23	ACMP	98	ACMP	82

*** Academic ***

Term: Spring 2005

EMSP 1160	LAB	CLINICAL - EMT	1.00	B
EMSP 1501	LEC	EMT-BASIC	5.00	B
EMSP 2336	LEC	EMS OPERATIONS	3.00	B

	ATT	ERN	HRS	PTS	GPA
TERM:	9.00	9.00	9.00	27.00	3.00
CUM:	9.00	9.00	9.00	27.00	3.00

*** End of Academic ***

*** Developmental ***

Term: Spring 2005

MATH 0310	LEC	DEVELOPMENTAL ALGEBRA	3.00	F

	ATT	ERN	HRS	PTS	GPA
TERM:	3.00	0.00	3.00	0.00	0.00
CUM:	3.00	0.00	3.00	0.00	0.00

*** End of Developmental ***

The Family Educational Rights and Privacy Act of 1974 (as amended) prohibits the release of this information without the student's written consent. An official transcript must include the signature of the registrar and the seal of the college or university. This document reports academic information only.

Christy L Klemish

THIS OFFICIAL TRANSCRIPT IS PRINTED ON SECURITY PAPER AND DOES NOT REQUIRE A RAISED SEAL

FEDERAL LAW PROHIBITS ACCESS TO THIS RECORD BY ANY PARTY WITHOUT PRIOR WRITTEN CONSENT OF THE STUDENT

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Exhibit 6

NATIONAL PERSONNEL RECORDS CENTER
1 ARCHIVES DRIVE ST LOUIS, MO 63138-1002
www.archives.gov
NATIONAL ARCHIVES

May 12, 2017

CARE OF J. SPALDING
LITTLER MENDELSON
1301 MCKINNEY STE 1900
HOUSTON, TX 77010

RE: **Veteran's Name: KERR, Jason Michael**
SSN/SN:
Request Number: 2-20588307338

Dear Recipient:

Thank you for contacting the National Personnel Records Center. This is a complete copy as of this date obtained from the military service department's electronic records storage system. NPRC is certifying that this is a true and exact copy; however NPRC is acting as the Military Service Department's agent and does not have physical custody of this electronic record.

The Privacy Act of 1974 does not permit the release of personal information without the authorization of the individual concerned; therefore, if present in the record, personal data pertaining to other individuals have been blacked out in the enclosed documents.

If you have questions or comments regarding this response, you may contact us at 314-801-0800 or by mail at the address shown in the letterhead above. If you contact us, please reference the Request Number listed above. If you are a veteran, or a deceased veteran's next of kin, please consider submitting your future requests online by visiting us at http://vetrecs.archives.gov.

Sincerely,

ROBERT TAYLOR, JR.
Archives Technician (AFN-MC3B)

We Value Our Veterans' Privacy
Let us know if we have failed to protect it.

Enclosure(s)

received
05.19.17

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD. SAFEGUARD IT.

ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle) KERR, JASON MICHAEL	2. DEPARTMENT, COMPONENT AND BRANCH ARMY/RA	3. SOCIAL SECURITY NO.
4.a GRADE, RATE, OR RANK SPC / 4.b PAY GRADE E4	5. DATE OF BIRTH (YYYYMMDD)	6. RESERVE OBLIG. TERM. DATE Year 2005 Month 04 Day 27
7.a PLACE OF ENTRY INTO ACTIVE DUTY ST LOUIS, MO	7.b HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known) RANTOUL, IL 61866	
8.a LAST DUTY ASSIGNMENT AND MAJOR COMMAND 664TH OD CO FC	8.b STATION WHERE SEPARATED FORT HOOD, TX 76544-5056	
9. COMMAND TO WHICH TRANSFERRED USAR CON GP (REINF) AR-PERSCOM, 9700 PAGE BLVD, ST LOUIS, MO 63132		10. SGLI COVERAGE ☐ None Amount: $ 200,000.00

11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)
55B10 00 AMMUNITION SPECIALIST--3 YRS-6 MOS
//NOTHING FOLLOWS

12. RECORD OF SERVICE	Year(s)	Month(s)	Day(s)
a. Date entered AD This Period	1997	06	04
b. Separation Date This Period	2001	06	03
c. Net Active Service This Period	0004	00	00
d. Total Prior Active Service	0000	00	00
e. Total Prior Inactive Service	0000	00	00
f. Foreign Service	0000	00	00
g. Sea Service	0000	00	00
h. Effective Date of Pay Grade	1999	12	04

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)
ARMY LAPEL BUTTON//ARMY SERVICE RIBBON//NOTHING FOLLOWS

14. MILITARY EDUCATION (Course title, number of weeks and month and year completed)
AMMUNITION SPECIALIST PHASE I COURSE, 2 WEEKS, 1997//AMMUNITION SPECIALIST PHASE II COURSE, 8 WEEKS, 1997//NOTHING FOLLOWS

15.a MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERAN'S EDUCATIONAL ASSISTANCE PROGRAM	Yes	No	15.b HIGH SCHOOL GRADUATE OR EQUIVALENT	Yes	No	16. DAYS ACCRUED LEAVE PAID
		X		X		60

17. MEMBER WAS PROVIDED A COMPLETE DENTAL EXAM AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION ☐ Yes ☒ No

18. REMARKS
DATA HEREIN SUBJECT TO COMPUTER MATCHING WITHIN DOD OR WITH OTHER AGENCIES FOR VERIFICATION PURPOSES AND DETERMINING ELIGIBILITY OR COMPLIANCE FOR FEDERAL BENEFITS//SUBJECT TO ACTIVE DUTY RECALL, MUSTER DUTY AND/OR ANNUAL SCREENING//BLOCK 6, PERIOD OF DELAYED ENTRY PROGRAM: 19970428-19970603//MEMBER HAS COMPLETED FIRST FULL TERM OF SERVICE//NOTHING FOLLOWS

19.a MAILING ADDRESS AFTER SEPARATION (Include Zip Code) 4904 WHITEROCK KILLEEN, TX 76543	19.b NEAREST RELATIVE (Name and address - Include Zip Code) DEBRA M DIETZ 8 CIRCLE DR FISHER, IL 61843
20. MEMBER REQUESTS COPY 6 BE SENT TO TX DIR OF VET. AFFAIRS ☒ Yes ☐ No	22. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) W.C. Addington W.C. ADDINGTON, GS07, LEAD CLERK, TRANS CEN
21. SIGNATURE OF MEMBER BEING SEPARATED	

SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

23. TYPE OF SEPARATION RELEASE FROM ACTIVE DUTY	24. CHARACTER OF SERVICE (Include upgrades) HONORABLE	
25. SEPARATION AUTHORITY AR 635-200, CHAP 4	26. SEPARATION CODE LBK	27. REENTRY CODE 3
28. NARRATIVE REASON FOR SEPARATION COMPLETION OF REQUIRED ACTIVE SERVICE		
29. DATES OF TIME LOST DURING THIS PERIOD NONE		30. MEMBER REQUESTS COPY 4 Initials

DD Form 214-AUTOMATED, NOV 88 *Previous editions are obsolete.* SERVICE - 2

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Exhibit 7

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	)	
Plaintiff,	)	
VS.	)	NO. 16-cv-2222
RENT-A-CENTER EAST, INC.,	)	
Defendant.	)	

ORAL DEPOSITION OF

CALVIN DAVIS

JUNE 16, 2017

ORAL DEPOSITION OF CALVIN DAVIS, produced as a witness at the instance of the Plaintiff, and duly sworn, was taken in the above-styled and numbered cause on June 16, 2017, from 10:33 a.m. to 10:51 a.m., before Julie A. Couvillion, CSR in and for the State of Texas, reported by machine shorthand, at the offices of Strasburger & Price, located at 2600 Dallas Parkway, Suite 600, in the City of Frisco, County of Collin, State of Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

P R O C E E D I N G S

CALVIN DAVIS,

having been first duly sworn, testified as follows:

EXAMINATION

BY MR. SHULTZ:

Q. Good morning, Mr. Davis.

A. Morning.

Q. My name is Miles Shultz and I represent the Equal Employment Opportunity Commission in a lawsuit that EEOC has filed against Rent-A-Center that's pending in the Central District of Illinois.

What is your understanding about that lawsuit?

A. Just what I've heard, discrimination.

Q. Do you know discrimination against whom the EEOC is alleging?

A. Rent-A-Center.

Q. Do you know the employee?

A. Oh, Megan Kerr.

Q. Megan Kerr. Okay. And you worked with Megan Kerr when she was presenting as Jason Kerr; is that correct?

A. That's correct.

Q. And do you have any personal knowledge regarding the circumstances of Ms. Kerr's termination

A. Average.

Q. And Rent-A-Center also said that you would have knowledge as to contacts you may or may not have received from being listed as a reference on Ms. Kerr's resume.

Did you know that you were a reference on Ms. Kerr's resume?

A. I did not.

Q. So I take it you had no contacts from anyone as a result of being listed on Ms. Kerr's resume?

A. No, I have not.

Q. When is the last time you had any contact with Ms. Kerr?

A. When she transferred out.

Q. So after her transfer, you didn't have any other contact with her?

A. No.

MR. SHULTZ: I don't have anything further.

EXAMINATION

BY MR. TRUSEVICH:

Q. Mr. Davis, the EEOC has represented to the court that Ms. Kerr was diligently out there applying for job after job after job. Okay? You are listed on all her resumes as a reference.

Tell the court and the ladies and gentlemen

of the jury -- I've got a pad here, empty pad and a pen, so I can write a big number.

How many people have called you in the last, I don't know, let's say five years, saying, I'm calling because Megan Kerr has applied for a job and listed you as a reference? And think about it because I'm sure it's a big number. How many?

A. Zero.

MR. TRUSEVICH: Pass the witness.

MR. SHULTZ: I have nothing further. Thanks, Mr. Davis.

THE WITNESS: Thank you.

(End of proceedings at 10:52 a.m.)

REPORTER'S CERTIFICATION.

I, Julie A. Couvillion, Certified Shorthand Reporter in and for the State of Texas, hereby certify to the following:

That the witness, CALVIN DAVIS, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness;

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action.

Certified to by me this _____ day of _____, 2017.

_____
Julie A. Couvillion, Texas CSR 1680
Expiration Date: 12/31/17

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Clerk, U.S. District Court, ILCD

Exhibit 8

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff, v. **RENT-A-CENTER EAST, INC.,** Defendant.	No. 16-CV-2222 Judge Colin Stirling Bruce Magistrate Judge Eric I. Long

DECLARATION OF NAKIA BELL

1. "My name is Nakia Bell. I am over the age of eighteen, of sound mind, and have personal knowledge of all facts set forth in this Declaration.

2. I am currently employed as Senior Manager for Coworker Relations at Rent-A-Center East, Inc. ("RAC").

3. As part of my job duties, I have access to personnel files, which are kept in the regular course of business at RAC, including pay rates. When Ms. Kerr's employment was terminated by RAC, Ms. Kerr was an Assistant Manager for RAC making $13.53 per hour.

I declare under penalty of perjury that the foregoing is true and correct."

Executed on July 5, 2017.

Nakia Bell

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Exhibit 9

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	§	
Plaintiff,	§	NO. 2:16-CV-02222
vs.	§	
RENT-A-CENTER EAST, INC.,	§	
Defendant.	§	

PLAINTIFF EEOC'S RESPONSE TO DEFENDANT'S FIRST SET OF INTERROGATORIES TO PLAINTIFF

Plaintiff U.S. Equal Employment Opportunity Commission ("EEOC") hereby makes the following response to the first set of interrogatories by Defendant Rent-A-Center East, Inc. ("RAC").

GENERAL OBJECTION & PRELIMINARY STATEMENT

The EEOC hereby incorporates the General Objection and Preliminary Statement set forth in its Response to RAC's First Set of Document Requests.

RESPONSES

INTERROGATORY NO. 1

Identify all persons from whom you or Megan Kerr have received statements, either orally or in writing, sworn or unsworn, regarding any of the allegations made by you in Plaintiff's Complaint.

ANSWER:

EEOC objects to Interrogatory No. 1 to the extent it seeks information protected from disclosure by the attorney client privilege, the attorney work product doctrine, the government deliberative process privilege, and/or Section 706(b) of Title VII, 42 U.S.C. § 2000e-5(b). EEOC does not have an obligation to identify every person with whom its attorneys have decided to communicate about the case.

a. the name and address of each business, and the dates during which the business operated at each address;

b. the dates she owned or operated each business;

c. a description of each business in which she engaged;

d. all earnings, compensation and/or other benefits received through the ownership or operation of each business;

e. the current status of each business and the reason, if applicable, that the business is closed.

ANSWER:

EEOC objects to Interrogatory 9 because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, the Commission states that, as reflected in response to interrogatory number 9, Kerr co-owned Zombie Fish Cycles from approximately February 2001 through September 2005, and has worked as a tattoo artist from approximately 2010 to present. From approximately February 2014 through August 2014 Kerr owned and operated a tattoo shop called Ink's Mistress in Rantoul, IL. Investigation continues.

INTERROGATORY NO. 10

Please describe every effort Ms. Kerr has made to find employment since her last day of employment with Defendant, by stating the following:

a. the name, address, and telephone number of each employer or individual to whom Ms. Kerr has submitted an application or resume or to whom Ms. Kerr has inquired (orally or in writing) regarding employment opportunities;

b. the date of each application or inquiry identified in (a.) above;

c. the position applied for and rate of pay (if known);

d. whether Ms. Kerr was interviewed for any position and, if so, the date of each interview; and

e. whether Ms. Kerr was offered or accepted any of the positions sought.

ANSWER:

EEOC objects to Interrogatory 9 because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving these objections, the Commission states that Kerr applied online and in person for many positions. These applications included, but were not limited to: Food For Less in Alsip, IL, date unknown; Jewel in Alsip, IL, date unknown; Denny's in Alsip, date unknown; Family Dollar in Alsip, IL, date unknown; Wal-Mart in Alsip, IL, date unknown; Walgreens in Alsip, date unknown; Dollar General in Alsip, IL, date unknown; Mariano's in Alsip, date unknown. Additionally pursuant to Rule 33(d) the Commission refers Defendant to EEOC0284-0357 regarding Kerr's employment search. Kerr received an interview for a plasma company in northern Chicago in approximately March 2016, but was not offered a job. Kerr also received an interview for a Guitar-Center in Country Club Hills in 2016 but was not offered a job. Kerr received an interview for at a Guitar-Center in Bedford Park, IL in approximately July 2016, and was offered a position, which she accepted, in sales starting approximately August 1, 2016. At Guitar-Center she earns $10.50 per hour and works on average 20 to 24 hours per week. Investigation continues.

INTERROGATORY NO. 11

Please itemize Ms. Kerr's total income month by month for the period from the date her employment with Defendant was terminated to the present, including income derived from any employer, from self-employment, and/or from benefits received from state, local, or federal agencies. In doing so, please identify the source of income and the amount attributed to each such source.

ANSWER:

EEOC objects to Interrogatory 11 because it seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. The EEOC further objects because unemployment benefits, worker's compensation, welfare, disability benefits, social security benefits and other benefits received from state, local, or federal agencies are collateral sources of income and not deducted from a backpay award. *See Thurman v. Yellow Freight Sys., Inc.*, 90 F.3d 1160, 1170-71 (6th Cir. 1996); *Rasimas v. Mich. Dep't. of Mental Health*, 714 F.2d 614, 627 n. 13 (6th Cir. 1983).

Subject to and without waiving these objections the Commission states: see response to Interrogatory No. 8 regarding Kerr's earnings history since her RAC termination.

INTERROGATORY NO. 12

Please identify each and every disease, illness, injury, disability, defect, medical symptom or other physical or mental condition which Ms. Kerr has suffered over the past 10 years.

ANSWER:

Respectfully Submitted,

Dated: October 21, 2016

s/ Miles Shultz
Miles Shultz
Trial Attorney
U.S. Equal Employment
Opportunity Commission
500 W. Madison St., Ste. 2000
Chicago, IL 60661
312-869-8053

CERTIFICATE OF SERVICE

I hereby certify that on today's date, I caused the PLAINTIFF EEOC'S RESPONSE TO DEFENDANT'S FIRST SET OF INTERROGATIRES to be served upon the following counsel of record by electronic mail:

Michael A. Wilder
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Rent-A-Center
5501 Headquarters Drive
Plano, TX 75024

Andy.Trusevich@RentACenter.com

Dated: October 21, 2016

s/ Miles Shultz
Miles Shultz

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,	)	
Plaintiff,	)	**Case No. 16-cv-2222**
v.	)	
RENT-A-CENTER EAST, INC.	)	
Defendant.	)	

VERIFICATION

I, Miles Shultz, being duly sworn, depose and say that I am an authorized Trial Attorney of the U.S. Equal Employment Opportunity Commission ("EEOC"), and in that capacity I assisted in the preparation of EEOC's Answers to Defendant's First Set of Interrogatories to EEOC for and on behalf of the EEOC and I am duly authorized to do so. Certain of the matters stated therein are not within my personal knowledge; however, to the best of my knowledge, information and belief, the answers were true at the time that I drafted them. To the extent, if at all, that any of these Answers differ from the charging party's deposition testimony, taken after the Answers were provided, EEOC incorporates by reference the testimony of the charging party.

Dated: October 24, 2016

s/ Miles Shultz
Miles Shultz
EEOC Trial Attorney

E-FILED
Wednesday, 05 July, 2017 05:00:43 PM
Clerk, U.S. District Court, ILCD

Exhibit 10

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff, v. **RENT-A-CENTER EAST, INC.,** Defendant.	No. 16-CV-2222 Judge Colin Stirling Bruce Magistrate Judge Eric I. Long

DECLARATION OF STEPHANIE J. QUINCY

I, Stephanie J. Quincy, hereby depose and state as follows:

1. I am over the age of 18 and am otherwise competent to testify to the facts set forth in this Declaration. I am an attorney with Quarles & Brady LLP, and represent the Defendant, Rent-A-Center East, Inc. ("RAC"), in the above-captioned matter. As such, I have personal knowledge of the facts set forth below and make this Declaration in support of Defendant's Motion for Summary Judgment.

2. Attached as Exhibits 1-2, 4-7, and 9 to RAC's Response to Plaintiff's Motion for Partial Summary Judgment are true and correct excerpts from deposition testimony taken in this action, and true and correct copies of discovery pleadings served by Plaintiff and other documents which have been produced by third parties in this action. Specifically, the exhibits attached are as follows:

Exhibit 1 Excerpts from the deposition transcript of Megan Vanna (Kerr), dated January 17, 2017;

Exhibit 2 Orders and Notices from the Sixth Judicial Circuit Court of Champaign County, Illinois;

Exhibit 4 Excerpts from records produced by Moraine Valley Community College concerning Megan Kerr;

Exhibit 5 Excerpts from records produced by Grayson College concerning Megan Kerr;

Exhibit 6 Excerpts from records produced by the U.S. Military concerning Megan Kerr;

Exhibit 7 Excerpts from the deposition transcript of Calvin Davis, dated June 16, 2017;

Exhibit 9 Excerpts from Plaintiff's Response to Defendant's First Set of Interrogatories to Plaintiff, dated October 21, 2016.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNED this 5th day of July, 2017.

Stephanie J. Quincy

E-FILED
Wednesday, 05 July, 2017 05:00:43 PM
Clerk, U.S. District Court, ILCD

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff, v. **RENT-A-CENTER EAST, INC.,** Defendant.	No. 16-CV-2222 Judge Colin Stirling Bruce Magistrate Judge Eric I. Long

ORDER DENYING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Before the Court is Plaintiff's Motion for Partial Summary Judgment (ECF No. 38). Having considered the motion, Defendant's response, and applicable authority, the Court DENIES Plaintiff's motion.

IT IS ORDERED that Plaintiff's Motion for Partial Summary Judgment is DENIED.

SIGNED this _____ day of _____ 2017.

_____
JUDGE PRESIDING