

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PATRICIA WILLIAMS,

Plaintiff,

v.

WISCONSIN DEPARTMENT OF
WORKFORCE DEVELOPMENT,

Defendant.

ORDER

13-cv-794-bbc

Plaintiff Patricia Williams has filed a complaint against the Department of Workforce Development under the Equal Pay Act, 29 U.S.C. § 206(d), contending that she was paid less than a male employee of the department who was performing the same tasks as she was. She has been granted leave to proceed in forma pauperis. Dkt. #3.

Although plaintiff's complaint is brief, it is sufficient. She identifies her comparator as a male working in the same agency (Leslie Mirkin), the period of time in which she was employed at the agency (July 1, 2010 - July 1, 2012), and the relief she wants (lost wages). (She also asks for damages for humiliation and emotional stress, but the Equal Pay Act limits damages to back pay, which can be doubled if the violation is willful, Hildebrandt v. Illinois Dept. of Natural Resources, 347 F.3d 1014, 1031 (7th Cir. 2003). It does not authorize damages for any other injuries, so this part of her claim may be ignored.)

ORDER

IT IS ORDERED that

1. Plaintiff Patricia Williams is GRANTED leave to proceed on her claim that defendant Department of Workforce Development violated her rights under the Equal Pay Act, 29 U.S.C. § 206(d) by not paying her the same rate of pay as a male employee performing the same tasks.

2. Plaintiff's complaint is DISMISSED with respect to her claims for damages for emotional stress and humiliation.

3. For the remainder of this lawsuit, plaintiff must send defendant a copy of every paper or document that she files with the court. Once plaintiff learns the name of the lawyer who will be representing defendant, she should serve the lawyer directly rather than defendant. The court will disregard documents plaintiff submits if they do not show on the court's copy that she has sent a copy to defendant or to defendant's attorney.

4. Plaintiff should keep a copy of all documents for her own files. If she is unable to use a photocopy machine, she may send out identical handwritten or typed copies of her documents.

5. Summonses and copies of plaintiff's complaint and this order are being forwarded

to the United States Marshal for service on defendant.

Entered this 20th day of December, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge