

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

YAZMIN BIBIANO,)	
)	
Plaintiff,)	Case No. 1:26-cv-00667
)	
v.)	
)	
CHICAGOLAND COMMISSARY, LLC)	
d/b/a DUNKIN DONUTS,)	Jury Trial Demanded
)	
Defendant.)	

COMPLAINT

Plaintiff, Yazmin Bibiano (“Plaintiff”), by and through the undersigned counsel, hereby files this Complaint against Chicagoland Commissary, LLC d/b/a Dunkin Donuts (“Defendant”), and in support states as follows:

NATURE OF PLAINTIFF’S CLAIMS

1. This lawsuit arises under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e *et seq.* (“Title VII”) seeking redress for Defendant’s sex-based discrimination, sex-based harassment, and retaliation under Title VII.

JURISDICTION AND VENUE

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1331.

3. Venue of this action properly lies in the Northern District of Illinois, Eastern Division, pursuant to 28 U.S.C. §1391(b) insofar as Defendant operates and transacts business in this judicial district and the events giving rise to Plaintiff’s claims occurred within this District.

ADMINISTRATIVE PREREQUISITES

4. All conditions precedent to jurisdiction have been satisfied.

5. Plaintiff filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC”) (attached hereto as Exhibit “A”).

6. Plaintiff received a Notice of Right to Sue from the EEOC (attached hereto as Exhibit “B”).

7. This Complaint has been filed within ninety (90) days of Plaintiff’s receipt of the EEOC’s Dismissal and Notice of Right to Sue.

THE PARTIES

8. Plaintiff, Yazmin Bibiano, is a natural person, over 18-years-of-age, who at all times relevant to the allegations of this Complaint resided in Cook County, Illinois.

9. Defendant, Chicagoland Commissary, LLC d/b/a Dunkin Donuts, whose address is 3146 S Cicero Avenue, Cicero, Illinois 60804, is a limited liability company specializing in the food service industry that at all times material to the allegations in this Complaint was doing business in and for Cook County, Illinois.

10. Plaintiff was employed by Defendant as an “employee” within the meaning of 42 U.S.C §2000e(f).

11. During the applicable limitations period, Defendant has had at least fifteen employees, has been an “employer” as defined by Title VII, and has been engaged in an industry affecting commerce within the meaning of Title VII, 42 U.S.C. § 2000e(b).

BACKGROUND FACTS

12. Plaintiff worked for Defendant as a shift manager from on or about February 2, 2015 until Plaintiff’s unlawful termination on or about October 30, 2025.

13. Plaintiff met or exceeded Defendant’s performance expectations throughout the entire duration of her employment.

14. Plaintiff is female and is a member of a protected class because of her sex (female).

15. Since at least July 30, 2025, Defendant has subjected Plaintiff to different terms and conditions of employment than others not within her protected class and has subjected Plaintiff to a hostile work environment on the basis of sex, violating Title VII.

16. For nearly ten years, Plaintiff held her position as shift leader without any issues or complaints.

17. During this time, Plaintiff worked alongside Store Manager Abraham Nuñez for eight years without incident.

18. However, in July 2025, Abraham made sexual advances toward Plaintiff.

19. On July 29, 2025, he invited Plaintiff to breakfast the next day to celebrate Plaintiff's recent birthday, which she assumed was just a friendly outing, as they had worked together for many years.

20. However, after the breakfast on July 30, 2025, Abraham asked Plaintiff for a kiss.

21. When Plaintiff declined, Abraham admitted that he had romantic feelings for Plaintiff, which she did not reciprocate.

22. He then told Plaintiff not to "make it weird" at work.

23. When Plaintiff returned to work after this incident, she felt extremely uncomfortable, and she began to distance herself from Abraham by avoiding conversation and interactions.

24. After rejecting Abraham's advances, Plaintiff began experiencing a clear pattern of retaliation.

25. Plaintiff's work hours were drastically reduced.

26. For the first ten years in her role, Plaintiff had never faced any issues with her work schedule or hours.

27. However, after the incident, Plaintiff's hours were reduced from three days per week to one or two days per week in September 2025, and by October 2025, Plaintiff was scheduled for only one day a week.

28. In addition to the reduction in hours, Plaintiff started receiving write-ups for minor and baseless infractions.

29. On September 22, 2025, Plaintiff was written up for being on her phone during work, even though she was not working that day.

30. Plaintiff was again written up on September 23, 2025, for the same reason, even though she was not working that day.

31. On September 26, 2025, Plaintiff was written up for a call-off, even though she was not on the schedule to work that day.

32. On October 30, 2025, Plaintiff arrived at work at her usual start time of 6:30 AM, but Abraham told her she could not start until 8:00 AM.

33. Plaintiff explained that she could not accommodate this change and left for the day.

34. On October 31, 2025, when the work schedule for the following week came out, Plaintiff noticed she was not scheduled for any shifts, and she was removed from the work group chat.

35. Plaintiff reached out to the Area Manager, Kenny, and informed him of the ongoing issues with Abraham, including the sexual harassment and clear retaliation she was experiencing as a result.

36. Kenny contacted HR, and on October 31, 2025, HR Representative Cody reached out to Plaintiff.

37. Plaintiff provided a detailed account of the harassment and retaliation, including the text messages from the breakfast outing.

38. On November 1, 2025, Plaintiff submitted a written statement and the requested text message evidence.

39. However, on November 2, 2025, Plaintiff discovered through her employee portal that she had been terminated as of October 30, 2025.

40. Plaintiff had not been informed of this termination.

41. Plaintiff later learned that Abraham had written her up on October 31, 2025, for the incident where she arrived at work at the wrong time on October 30, 2025, and used this as the basis to terminate her, despite no prior warnings or discussion.

42. The retaliation Plaintiff experienced after rejecting Abraham's sexual advances is clear.

43. After ten years of working without issue and eight years of working with Abraham without problems, Plaintiff's hours were reduced, she received baseless write-ups, and ultimately she was terminated after rejecting his advances.

44. This treatment is a direct result of Plaintiff's refusal to engage in Abraham's sexual advances and Plaintiff's subsequent discomfort.

45. Plaintiff was unlawfully terminated because of her sex, (female) on October 30, 2025.

46. Plaintiff was retaliated against and her employment was ultimately terminated for opposing unlawful discrimination and for exercising her protected rights.

47. Plaintiff reported the sex-based discrimination and harassment to Defendant.

48. Plaintiff was targeted for termination because of her sex and reporting of illegal activity.

49. Plaintiff suffered multiple adverse employment actions including, but not limited to, being terminated.

50. There is a basis for employer liability for the sex-based discrimination and harassment to which Plaintiff was subjected.

51. Plaintiff can show that she engaged in statutorily protected activity—a necessary component of her retaliation claim—because Plaintiff reported sex-based harassment and discrimination.

COUNT I
Violation of Title VII of the Civil Rights Act of 1964
(Sex-Based Discrimination)

52. Plaintiff repeats and re-alleges paragraphs 1–51 as if fully stated herein.

53. By virtue of the conduct alleged herein, Defendant intentionally discriminated against Plaintiff based on Plaintiff's sex, in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

54. Plaintiff met or exceeded performance expectations.

55. Plaintiff was treated less favorably than similarly situated employees outside of Plaintiff's protected class.

56. Defendant terminated Plaintiff's employment on the basis of Plaintiff's sex.

57. Plaintiff is a member of a protected class under Title VII, due to Plaintiff's sex, female.

58. Defendant acted in willful and reckless disregard of Plaintiff's protected rights.

59. As a direct and proximate result of the discrimination described above, Plaintiff has suffered and continues to suffer loss of employment, loss of income, and loss of employment

benefits and has suffered and continues to suffer mental anguish, distress, humiliation, and loss of enjoyment of life.

COUNT II
Violation of Title VII of The Civil Rights Act of 1964
(Sex-Based Harassment)

60. Plaintiff repeats and re-alleges paragraphs 1–51 as if fully stated herein.

61. By virtue of the conduct alleged herein, Defendant engaged in unlawful employment practices and subjected Plaintiff to sex-based harassment, in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

62. Defendant knew or should have known of the harassment.

63. The sex-based harassment was severe or pervasive.

64. The sex-based harassment was offensive subjectively and objectively.

65. The sex-based harassment was unwelcomed.

66. Plaintiff is a member of a protected class under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*, due to Plaintiff’s sex, female.

67. Defendant acted in willful and reckless disregard of Plaintiff’s protected rights.

68. As a direct and proximate result of the sex-based harassment described above, Plaintiff has suffered and continues to suffer loss of employment, loss of income, and loss of employment benefits and has suffered and continues to suffer mental anguish, distress, humiliation, and loss of enjoyment of life.

COUNT III
Violation of Title VII of The Civil Rights Act of 1964
(Retaliation)

69. Plaintiff repeats and re-alleges paragraphs 1–51 as if fully stated herein.

70. Plaintiff is a member of a protected class under 42 U.S.C. § 2000e, *et seq.*

71. During Plaintiff's employment with Defendant, Plaintiff reasonably complained to Defendant about conduct that constituted sex-based discrimination and harassment.

72. As such, Plaintiff engaged in protected conduct and was protected against unlawful retaliation by Defendant under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.*

73. In response to Plaintiff's complaint, Defendant failed to conduct a prompt, thorough, and objective investigation of Plaintiff's complaint of sex-based discrimination and harassment.

74. Defendant also failed to take necessary precautions to prevent further recurrences of the discriminatory and harassing conduct complained of by Plaintiff.

75. Plaintiff suffered an adverse employment action in retaliation for engaging in protected activity.

76. By virtue of the foregoing, Defendant retaliated against Plaintiff in response to Plaintiff reporting the sex-based discrimination and harassment, thereby violating Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, *et seq.*

77. Defendant's retaliatory conduct toward Plaintiff illustrated a willful and/or reckless violation of Title VII.

78. As a direct and proximate result of the above-alleged willful and/or reckless acts of Defendant, Plaintiff has suffered damages of a pecuniary and non-pecuniary nature, humiliation, and degradation.

RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests that this Court find in Plaintiff's favor and against Defendant as follows:

- a. Back pay with interest;

- b. Payment of interest on all back pay recoverable;
- c. Front pay;
- d. Loss of benefits;
- e. Compensatory and punitive damages;
- f. Reasonable attorneys' fees and costs;
- g. Award pre-judgment interest if applicable; and
- h. Award Plaintiff any and all other such relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby requests that all issues be submitted to and determined by a jury. Dated this 21st day of January, 2026.

/s/Sophia K. Steere

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