

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

**ANNA PINSONEAULT,**

**Plaintiff,**

**V.**

**LUNDBECK PHARMACEUTICALS LLC,**

**Defendant.**

**Case No. 1:21-cv-5839**

## JURY TRIAL DEMANDED

## COMPLAINT AT LAW

Plaintiff, Anna Pinsoneault (“Plaintiff” or “Ms. Pinsoneault”) by and through her attorney, Timothy A. Scott of Fegan Scott LLC, and for her Complaint against Defendant Lundbeck Pharmaceuticals LLC (“Defendant” or “Lundbeck”) (all allegations being made on information provided to counsel by Plaintiff), states as follows:

## I. NATURE OF THE CASE

1. Over the course of her employment with Lundbeck, Ms. Pinsoneault was repeatedly subjected to a discriminatory and hostile work environment created by her manager, Crystal Fitch (“Ms. Fitch”), and fostered by her employer, Defendant Lundbeck Pharmaceuticals LLC. Despite multiple complaints to Lundbeck’s HR Department (“HR”) about Ms. Fitch’s behavior, Lundbeck failed to alleviate the problem. As a result of Lundbeck’s inaction, a work environment was created that was replete with hostility towards Ms. Pinsoneault and one that was inherently discriminatory toward Ms. Pinsoneault based on her race and gender. Moreover, after Pinsoneault discussed her issues with HR, Ms. Fitch engaged in retaliatory conduct against Pinsoneault and ultimately had

her terminated for failing to meet visit quotas during a pandemic. Ms. Fitch's retaliatory conduct also served to prohibit Ms. Pinsoneault from finding alternate work within the tight Chicago Life Sciences community.

2. Ms. Pinsoneault filed a charge with the Equal Employment Opportunity Commission on February 5, 2021 (EEOC NO.: 440-2021-02270), raising claims of race discrimination, fostering a hostile work environment, and retaliation. A copy of the charge letter is attached as Exhibit A. The EEOC issued a Notice of Right to Sue letter dated Wednesday, August 4, 2021. The right to sue was delivered by electronic mail to counsel for Plaintiff on August 4, 2021. A copy of the notice letter is attached as Exhibit B.

3. Ms. Pinsoneault timely brings this action against Defendant to recover for damages that she suffered as a direct and proximate result of Defendant's discriminatory and abusive practices.

## **II. JURISDICTION AND VENUE**

4. Jurisdiction for these causes of action is invoked by 28 U.S.C. §§1331 and 1343. Plaintiff's claims are authorized by Title VII of the Civil Rights Act of 1964, *as amended*, 42 U.S.C. § 2000e-(5) ("Title VII).

5. This Court has supplemental jurisdiction over Plaintiff's state law claims (Illinois Intentional Infliction of Emotional Distress) pursuant to 28 U.S.C. § 1367.

6. Venue in this district is proper under 28 U.S.C. §1391(a)(1), (2), and (3), and under the civil rights statute set out above, including 42 U.S.C. §2000e-5(f).

## **III. THE PARTIES**

7. Plaintiff, Anna Pinsoneault, is a 51-year-old white female and a resident of Chicago, Illinois.

8. Ms. Pinsoneault was employed by Lundbeck from January 7, 2019, through August 27, 2020.

9. Defendant, Lundbeck Pharmaceuticals LLC, is a worldwide pharmaceutical company based out of Delaware, with its United States' headquarters located at 6 Parkway North in Deerfield, IL 60015. According to its website, Lundbeck has more than 900 employees.

#### **IV. BACKGROUND FACTS**

10. Ms. Pinsoneault was hired by Lundbeck as a neuroscience account manager on January 7, 2019.

11. In this role, she served as the primary customer contact for medical professionals engaged in the neurosciences.

12. As part of a team, she was responsible for sales in Lundbeck's Chicago market, with a focus on Lundbeck's North Shore clientele.

13. Early in her tenure with Lundbeck, Ms. Pinsoneault received the highest marks a field-based employee could get.

14. She never had any issues with management, co-workers, or any of her customers.

15. In March of 2019, Crystal Fitch became Ms. Pinsoneault's area business manager.

16. Ms. Fitch is a black woman.

17. Immediately upon her arrival, it became clear that Ms. Fitch had a tendency to treat male and black female employees differently than and similarly situated, non-black women.

18. Ms. Fitch immediately took a hostile position against Ms. Pinsoneault and other white female employees at Lundbeck.

19. In 2019 a white female co-worker of Pinsoneault made a formal charge for race-based discrimination, hostile work environment, and retaliation against Ms. Fitch.

20. Shortly after her co-worker's complaint, Ms. Pinsoneault was contacted by Lundbeck's Human Resources department regarding Ms. Fitch's treatment of that employee.

21. Ms. Pinsoneault was hesitant to speak with Lundbeck's Human Resources department regarding the Complaint in fear of retaliation by Ms. Fitch.

22. Indeed, Ms. Pinsoneault was in constant fear of retaliation from Ms. Fitch, and Lundbeck due to the unabashed favoritism of other employees on the basis of race.

23. Ms. Pinsoneault voiced those fears and was assured that the meeting would be confidential and that there would be no retaliation for her involvement.

24. Taking stock in Lundbeck's assurances, Ms. Pinsoneault spoke to HR and mirrored her co-worker's concerns.

25. Lundbeck's assurances of confidentiality were clearly overstated; however, shortly after her interview with Human Resources, Ms. Fitch's hostility toward her increased, and she became the target of Fitch's retaliatory conduct.

26. Ms. Pinsoneault complained of Ms. Fitch's hostility and retaliatory conduct to both Human Resource and Ms. Fitch's supervisor, which resulted in a meeting with Ms. Pinsoneault, Ms. Fitch, and Ms. Fitch's supervisor at the end of 2019.

27. From that point on, with the cloak of confidentiality no longer in place, Ms. Fitch's hostility toward Ms. Pinsoneault became even more intense.

28. Ms. Fitch constantly showed favoritism for male and black female employees, which created a hostile work environment for similarly situated non-male and white female employees.

29. After Ms. Pinsoneault complained to HR, Fitch targeted her even more than before.

30. Ms. Fitch would consistently offer praise to others, for non-“best practices” actions, but rebuked Ms. Pinsoneault in front of co-workers for asking whether particular actions conformed with company policy. Fitch questioned Pinsoneault’s ability to work well with others.

31. When Ms. Pinsoneault voiced her concerns, Ms. Fitch would verbally attack with phrases such as “that never happened,” “you always misinterpret things,” “your perception of what occurs is way off, and you have a wacked sense of reality,” and “you make things up.”

32. From 2019 through the date of her termination, Ms. Fitch spread false stories and rumors about Ms. Pinsoneault to undermine her performance.

33. For example, she claimed that her entire team went to her after an Arizona conference to complain about Ms. Pinsoneault’s negativity.

34. However, all of Pinsoneault’s team members denied that they went to Fitch to complain about her.

35. When Ms. Pinsoneault asked Ms. Fitch about the allegations, Fitch replied that “she never said that” and that Ms. Pinsoneault was “making things up.” Ms. Fitch could not provide a single example of any complaint from any of Pinsoneault’s peers.

36. Ms. Fitch’s hostility and retaliatory conduct was also observed by Ms. Pinsoneault’s customers. Who stated concerns about the situation with her manager and how Ms. Fitch treated her differently than other non-white account managers during interactions.

37. In May of 2020, Fitch began a meeting with Pinsoneault by telling her that “ she had multiple concerns regarding [Pinsonault’s] willingness to collaborate and negativity” regarding a joint call plan with a sister company but was unable to offer a single instance on Pinsoneault’s part toward others.

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