

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS

CHICAGO OFFICE

DEPARTMENT OF HUMAN RIGHTS
555 W. MONROE ST., 7TH FLOOR
CHICAGO, ILLINOIS 60661
(312) 814-6200
(866) 740-3953 (TTY)

SPRINGFIELD OFFICE

DEPARTMENT OF HUMAN RIGHTS
524 S 2ND STREET, STE. 300
SPRINGFIELD, ILLINOIS 62701
(217) 785-5100
(866) 740-3953

CHARGE NO: _____

CONTROL NO: _____

CHARGE OF DISCRIMINATION

COMPLAINANT

Name Melissa "Skyler" Hyatt
Address [REDACTED]
City, State ZIP [REDACTED]
Telephone Number [REDACTED]

I believe that I have been personally aggrieved by a civil rights violation committed on

(Date/s of harm): 10/16/21 and 10/18/21, by:

RESPONDENT

Name Walmart Supercenter #550
Address 2610 W Haven Rd.
City, State ZIP Lawrenceville, IL 62439
Telephone Number 618-943-7551
County Lawrence

SEE ATTACHED

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matter the undersigned certifies as aforesaid that the undersigned verily believes the same to be true. [735 ILCS 5/1-109]

[Signature] 8-11-22
Complainant's Signature and Date

Signed and sworn to before me
on 8/11/22 by Melissa "Skyler" Hyatt

State of Illinois County of Cook

CHRISTOPHER M ROMER
Official Seal
Notary Public - State of Illinois
My Commission Expires Oct 9, 2023

Christopher M. Romer

I. A. ISSUES/BASIS

Denial of full and equal enjoyment of money order cashing services by two places of public accommodation owned by Walmart, Inc. on October 16, 2021, and October 18, 2021, because of gender identity.

B. PRIMA FACIE ALLEGATIONS

1. Melissa “Skyler” Hyatt is a transgender man, which means while he was assigned female at birth, his gender identity and lived gender is male.
2. Mr. Hyatt has an Illinois driver’s license with his photograph, sex marked as M for male, and his legal name “Melissa Ann Hyatt.” The photograph on the driver’s license shows him with a short haircut and facial hair.
3. Walmart, Inc. is a foreign corporation from Delaware which owns and operates Walmart Supercenter #550 in Lawrenceville, Illinois, and Walmart Supercenter #254 in Olney, Illinois (collectively known as “Walmart”).
4. Walmart Supercenter #550 in Lawrenceville, is a sales establishment that sells groceries, clothing, and hardware, and offers money services, including cashing money orders. It is a place of public accommodation under the Illinois Human Rights Act, 775 ILCS 5/101(A) (5).
5. Walmart Supercenter #254 in Olney, is a sales establishment that sells groceries, clothing, and hardware, and offers money services, including cashing money orders. It is a place of public accommodation under the Illinois Human Rights Act, 775 ILCS 5/101(A) (5).
6. On or about October 16, 2021, Walmart Supercenter #550 in Lawrenceville, Illinois, a place of public accommodation, denied money order cashing services to Mr. Hyatt because he is a transgender man.
 - a. Mr. Hyatt gave his Illinois driver’s license and a MoneyGram money order made out to Melissa Hyatt, to Walmart supervisor, [REDACTED]
 - b. When Ms. Harmon looked at Mr. Hyatt, the money order, and the driver’s license, she made a face of disgust.
 - c. Mr. Hyatt made a joke about the song “A Boy Named Sue.” Mr. Hyatt explained that he was transgender and could not afford to change the name “Melissa.” Ms. Harmon rolled her eyes.
 - d. Despite the matching name on the money order and driver’s license, Ms. Harmon did not cash the money order and provided Mr. Hyatt with a Walmart disbursement receipt that said in part, “[w]e’re sorry but we are unable to proceed with your transaction.”
 - e. Mr. Hyatt was humiliated and suffered emotional distress.

7. On October 18, 2021, Walmart Supercenter #254 (“Walmart”) in Olney, Illinois, a place of public accommodation, denied money order cashing services to Mr. Hyatt because he is a transgender man.

- a. Mr. Hyatt gave his Illinois driver’s license and a MoneyGram money order made out to Melissa Hyatt to a Walmart employee.
- b. After obtaining Mr. Hyatt’s money order and driver’s license, the Walmart employee attempted to process the money order twice but she told Mr. Hyatt that she could not cash the money order because it was “red flagged.”
- c. The Walmart employee gave Mr. Hyatt two Walmart disbursement receipts that said in part, “[w]e’re sorry but we are unable to proceed with your transaction.”
- d. Mr. Hyatt was humiliated and suffered emotional distress.

8. Mr. Hyatt was qualified for the money order cashing services that Walmart denied him on October 16 and October 18, 2021.

- a. On or about October 19, 2021, Mr. Hyatt and his wife opened a bank account with Peoples State Bank in Sumner, Illinois.
- b. To open the account, Mr. Hyatt gave the bank employee his driver’s license and the same money order made out to Melissa Hyatt that he provided to Walmart on October 16 and October 18.
- c. Mr. Hyatt told the bank employee that Walmart would not cash his money order. The bank employee said she did not understand the problem because Mr. Hyatt’s name on the money order matched his driver’s license or something to that effect.
- d. Peoples State Bank deposited and cashed Mr. Hyatt’s money order that day.

9. On information and belief, Walmart provides money order cashing services to cisgender customers, whose personal identities and genders correspond with their sex assigned at birth.

10. Walmart discriminated against Mr. Hyatt by denying him money order cashing services because of his gender identity as a transgender man in violation of the Illinois Human Rights Act, 775 ILCS 5/5-102 (A), 5/1-103(O-1) and (Q).

II. A. ISSUES/BASIS

Denial of full and equal enjoyment of money order cashing services by two places of public accommodation owned by Walmart, Inc. on October 16, 2021, and October 18, 2021, because of sex.

B. PRIMA FACIE ALLEGATIONS

1. Melissa “Skyler” Hyatt is a transgender man, which means while he was assigned female at birth, his gender identity and lived gender is male.
2. Mr. Hyatt has an Illinois driver’s license with his photograph, sex marked as M for male, and his legal name “Melissa Ann Hyatt.” The photograph on the driver’s license shows him with a short haircut and facial hair.
3. Walmart, Inc. is a foreign corporation from Delaware which owns and operates Walmart Supercenter #550 in Lawrenceville, Illinois, and Walmart Supercenter #254 in Olney, Illinois (collectively known as “Walmart”).
4. Walmart Supercenter #550 in Lawrenceville, is a sales establishment that sells groceries, clothing, and hardware, and offers money services, including cashing money orders. It is a place of public accommodation under the Illinois Human Rights Act, 775 ILCS 5/101(A) (5).
5. Walmart Supercenter #254 in Olney, is a sales establishment that sells groceries, clothing, and hardware, and offers money services, including cashing money orders. It is a place of public accommodation under the Illinois Human Rights Act, 775 ILCS 5/101(A) (5).
6. On October 16, 2021, Walmart Supercenter #550 in Lawrenceville, Illinois, a place of public accommodation, denied money order cashing services to Mr. Hyatt because he is a transgender man.
 - a. Mr. Hyatt gave his Illinois driver’s license and a MoneyGram money order made out to Melissa Hyatt, to Walmart supervisor, [REDACTED]
 - b. When Ms. Harmon looked at Mr. Hyatt, the money order, and the driver’s license, she made a face of disgust.
 - c. Mr. Hyatt made a joke about the song “A Boy Named Sue.” Mr. Hyatt explained that he was transgender and could not afford to change the name “Melissa.” Ms. Harmon rolled her eyes.
 - d. Despite the matching name on the money order and driver’s license, Ms. Harmon did not cash the money order and provided Mr. Hyatt with a Walmart disbursement receipt that said in part, “[w]e’re sorry but we are unable to proceed with your transaction.
 - e. Mr. Hyatt was humiliated and suffered emotional distress.

7. On October 18, 2021, Walmart Supercenter #254 (“Walmart”) in Olney, Illinois, a place of public accommodation, denied money order cashing services to Mr. Hyatt because he is a transgender man.

- a. Mr. Hyatt gave his Illinois driver’s license and a MoneyGram money order made out to Melissa Hyatt to a Walmart employee.
- b. After obtaining Mr. Hyatt’s money order and driver’s license, the Walmart employee attempted to process the money order twice but she told Mr. Hyatt that she could not cash the money order because it was “red flagged.”
- c. The Walmart employee gave Mr. Hyatt two Walmart disbursement receipts that said in part, “[w]e’re sorry but we are unable to proceed with your transaction.”
- d. Mr. Hyatt was humiliated and suffered emotional distress.

8. Mr. Hyatt was qualified for the money order cashing services that Walmart denied him on October 16 and October 18, 2021.

- a. On or about October 19, 2021, Mr. Hyatt and his wife opened a bank account with Peoples State Bank in Sumner, Illinois.
- b. To open the account, Mr. Hyatt gave the bank employee his driver’s license and the same money order made out to Melissa Hyatt that he provided to Walmart on October 16 and October 18.
- c. Mr. Hyatt told the bank employee that Walmart would not cash his money order. The bank employee said she did not understand the problem because Mr. Hyatt’s name on the money order matched his driver’s license or something to that effect.
- d. Peoples State Bank deposited and cashed Mr. Hyatt’s money order that day.

9. On information and belief, Walmart provides money order cashing services to cisgender people, whose personal identities and genders correspond with their sexes assigned at birth.

10. Walmart discriminated against Mr. Hyatt by denying him money order cashing services because of his sex as a transgender man in violation of the Illinois Human Rights Act, 775 ILCS 5/5-102 (A), 5/1-103(O) and (Q).

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS

IN THE MATTER OF)
)
Melissa "Skyler" Hyatt)
)
COMPLAINANT)
)
AND) CHARGE NO.:
)
Walmart Supercenter #550) EEOC NO.:
)
RESPONDENT)
)

A P P E A R A N C E

Roger Baldwin Foundation of ACLU, Inc., hereby enter the
(Name of law firm/attorney/non-attorney representative)

appearance of Melissa "Skyler" Hyatt
(Name of Complainant or Respondent)

and our Appearance as their attorney (or non-attorney representative), and request that copies of all Pleadings, Orders, and other documents be served upon the undersigned for said Party in lieu service upon the Party.

Michelle Teresa García

PRINT name of attorney/non-attorney representative

Roger Baldwin Foundation of ACLU, Inc.

Firm Name

150 N. Michigan Ave., Ste. 600, Chicago, IL 60601

Address

Chicago IL 60601

City State Zip Code

312-201-9740

Telephone Number

mgarcia@aclu-il.org

Email Address

312-535-6571

Fax Number

By checking this box, I consent to service of all pleadings, orders, and other documents by the Department via electronic mail and understand that electronic service to this Email Address is deemed complete upon transmission.

DATED: August 11, 2022

By:

Michelle Teresa Garcia

Signature