

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
DUPAGE COUNTY, WHEATON, ILLINOIS**

MORGAN URSO a minor, by and through her)	
parents KELLY URSO and NICK URSO,)	
)	CASE NO.
Plaintiff,)	
v.)	
)	JURY DEMANDED
TEAM ILLINOIS HOCKEY CLUB, Inc., and)	
the AMATEUR HOCKEY ASSOCIATION)	
OF ILLINOIS, Inc.,)	
)	
Defendants.)	

VERIFIED COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Plaintiff Morgan Urso complains, by and through her parents Kelly and Nick Urso, against Defendants Team Illinois Hockey Club, Inc. (“Team Illinois”) and the Amateur Hockey Association of Illinois, Inc. (“AHA”) for discrimination against her on the basis of disability in violation of the Illinois Human Right Act (“IHRA” or Act) for injunctive relief and damages.

PRELIMINARY STATEMENT

1. Morgan Urso is a high school sophomore and long-time hockey player. She has played hockey through organized hockey leagues and teams since 5th grade. Hockey was her passion. It was her life.

2. Morgan is also a person with a disability, including anxiety and depression. Hockey supported Morgan and her mental health for many years. The physical activity and structure are good for her wellbeing. The hockey teams provide her with a strong social network and friends. The game was an outlet for Morgan from the ups and downs of life.

3. But then, in the fall of 2019, Morgan was banished from her club hockey team when she disclosed her mental health condition and related suicidal thoughts to Coach Larry Pedrie. The very next day, without talking to Morgan’s parents (or doctors), the hockey club

Team Illinois, with AHAI, barred Morgan from practicing or playing hockey. They prohibited Morgan from attending any Team Illinois events. They exiled Morgan from her teammates. The coach not only disclosed information about Morgan's mental health to the family of every other player on the team, but also directed the other players to have no contact with Morgan. Team Illinois even cut off Morgan's parents from all team communications.

4. Morgan was banished until she could produce a doctor's letter clearing her to participate "100%" in all team activities and functions. The requirement that Morgan be 100% better was unprecedented and indefensible. No other player has been held to this standard. This was naked discrimination against Morgan because of her disability.

5. This is the rare case of discrimination that is documented with little factual dispute. There is no dispute Team Illinois barred Morgan from hockey on November 14, 2019 directly and expressly *because* of the mental health information she disclosed on November 13, 2019. There is no dispute that Team Illinois with AHAI imposed an unlawful 100% participation requirement for her return—they put the demand in email repeatedly. There is no dispute that Morgan is a person with a disability protected by the IHRA. There should be no dispute that Defendants discriminated against Morgan in violation of the IHRA and that it should never again happen to Morgan or any other player.

6. With the assistance of legal counsel, Morgan was finally able to rejoin her team after a month of exile and complete the 2019-2020 hockey season. She has since become an advocate for mental health in hockey and beyond.

7. Morgan has exhausted the Illinois Department of Human Rights ("IDHR") process, and now sues Team Illinois for disability discrimination in violation of the IHRA, and AHAI for aiding and abetting that discrimination.

8. Morgan sues to ensure that no other youth hockey player with a mental health condition must hide in the dark out of fear of discrimination or face discrimination like Morgan.

THE PARTIES

9. Morgan Urso is a high school sophomore and a resident of Cook County, Illinois.

10. Morgan is a person with a disability under the IHRA. 775 ILCS 5/1-103(I). She has mental health conditions including anxiety and depression, for which she has long received appropriate professional medical and mental health supports. These conditions are both a “mental characteristic” and a “mental, psychological, or developmental disability” within the definition of disability under the Act. *Id.*

11. At all relevant times, Morgan’s medical providers have approved—and in fact encouraged—Morgan to participate in hockey.

12. Kelly Urso and Nick Urso are the parents of Morgan Urso. They are residents of Cook County, Illinois and sue on behalf of Morgan.

13. Defendant Team Illinois is an Illinois non-profit corporation that operates youth hockey teams as part of the AHAI and USA Hockey system. One of the teams operated by the Team Illinois organization is the Girls 14U team, coached by Larry Pedrie. Coach Pedrie is also the hockey director and primary executive in charge of all Team Illinois operations.

14. For its activities and services, Team Illinois leases and operates the Seven Bridges Ice Arena at 6690 IL-53, Woodridge, DuPage County, Illinois 60517, among other public facilities in Illinois.

15. Seven Bridges Ice Arena includes an ice rink with space for spectators, locker rooms, training facilities, concessions, offices for Team Illinois, and other related facilities.

16. Seven Bridges Ice Arena is open to the public.

17. Seven Bridges Ice Arena is a place of public accommodation under the IHRA. 775 ILCS 5/5-101(A).

18. Team Illinois activities, such as hockey tryouts and hockey games at the Seven Bridges Ice Arena (and other facilities), are open to the public.

19. The activities and services offered by Team Illinois include club hockey teams, hockey practices, clinics, work outs, sessions to review tape, team lunches, team dinners, travel opportunities, coaching, and the opportunity to play in hockey games and tournaments. Team Illinois also offers events for players and their families, information about hockey, and access to AHAI and USA Hockey resources and opportunities.

20. Team Illinois activities and services are open to the public.

21. Team Illinois is a “person” as defined by the IHRA. 775 ILCS 5/1-103(L) (“Person’ includes one or more individuals, partnerships, associations or organizations, ... corporations...”).

22. Defendant Amateur Hockey Association of Illinois, Inc. (“AHAI”) is an Illinois non-profit corporation that regulates and controls youth hockey leagues, teams, and activities throughout Illinois, including Team Illinois. AHIA is the Illinois affiliate of USA Hockey.

23. AHAI is governed by and operates through a Board of Directors.

24. Mr. Mike Mullaly is a member of the AHAI Board of Directors.

25. Mr. Mullaly is also the Central District director for USA Hockey.

26. AHAI is a “person” as defined by the IHRA. 775 ILCS 5/1-103(L) (“Person’ includes one or more individuals, partnerships, associations or organizations, ... corporations...”).

JURISDICTION AND VENUE

27. Morgan satisfied all requirements of the IHRA and timely files suit under 775 ILCS 5/7A-102(C)(4). Morgan timely filed charges of discrimination with IDHR against each Defendant on April 9, 2020. Morgan received notice that she had exhausted the IDHR investigation process on February 3, 2021 (as to AHAI) and February 18, 2021 (as to Team Illinois). Morgan files this lawsuit within the time provided by the Act.

28. Venue in DuPage County is proper because Defendants reside and/or operate in DuPage County and the discrimination occurred at least in part in DuPage County as many Team Illinois activities occur at the Seven Bridges Ice Arena in Woodridge, DuPage County, Illinois.

FACTS

29. For the 2019-2020 hockey season, Morgan signed up to play hockey with the Girls 14U team run by Team Illinois. The 2019-2020 hockey season began in August 2019.

30. In the fall of 2019 Morgan started high school. She struggled with her mental health and in September and October 2019 received increasing support from medical and mental health providers for anxiety and depression.

31. On November 13, 2019, Morgan and her mother Kelly Urso told Coach Pedrie about her mental health conditions and suicidal thoughts. Mrs. Urso shared that Morgan had the support of mental health professionals and expressed that hockey was an important and supportive aspect of Morgan's life. After that conversation, Morgan participated in the evening hockey practice with her teammates like normal.

32. At the latest, by the conversation of November 13, 2019, Coach Pedrie and Team Illinois were informed that Morgan has a disability.

33. On November 14, 2019, Coach Pedrie spoke to AHAI Board Member Mike Mullaly by phone about Morgan's mental health and suicidal thoughts. Coach Pedrie and Mr. Mullaly agreed on that phone call to banish Morgan from Team Illinois until she was able to participate 100% in Team Illinois activities.

34. On November 14, 2019, unprompted and without receiving any additional information from Morgan, her parents, or her medical providers, Coach Pedrie called Mr. and Mrs. Urso. He informed them that Morgan was banned from all Team Illinois activities and events until Morgan was cleared by a doctor to return to 100% of Team Illinois activities.

35. Coach Pedrie stated that Morgan was banned from Team Illinois due to her suicidal thoughts from depression and anxiety, and that she could not return until Morgan recovered and was able to participate 100% in every Team Illinois activity.

36. Starting November 14, 2019, Morgan was banished from all Team Illinois events, practices, games, tournaments, communications, and activities.

37. Team Illinois also tried to impose social exile and isolation on Morgan. She was prohibited from any contact with Team Illinois players.

38. On November 14, 2019, Team Illinois by email directed the other players and their parents to have no contact with Morgan in person or by "phone, text, snapchat or any social media platform." Coach Pedrie told every family on the Team Illinois 14U team that Morgan had been removed "from any involvement and or communication with our team and her teammates," until she was back to "the positive, happy, smiling kid that we all know she is."

39. Starting November 14, 2019, Mr. and Mrs. Urso were cut off from all Team Illinois activities and removed from Team Illinois email and communications. This exclusion was utterly gratuitous and inexplicable. Team emails go only to parents, and not to Morgan or other players.

Team Illinois and AHAI cannot explain why they immediately stopped sending any communications about Team Illinois to the Urso family.

40. On November 16, 2019, Coach Pedrie confirmed by email that Morgan was banned from Team Illinois until she could “take part 100% in all team activities. This would include the following: 1) attend all team strength training sessions, 2) attend all team practices. 3) attend all games, 4) attend all other team functions including dinners, lunches, meetings, and video sessions.”

41. On November 17, 2019, Coach Pedrie again confirmed by email that Morgan was banned from Team Illinois due to her disability and until “Morgan is able to return to our team in 100% capacity.”

42. On November 18, 2019, Mr. and Mrs. Urso spoke with Mike Mullaly of AHAI by phone. Mr. Mullaly confirmed that he and Coach Larry had spoken on November 14 and decided to exclude Morgan from hockey. He again reaffirmed the 100% participation requirement as AHAI’s position for when Morgan could return to hockey.

43. There was no medical basis for Team Illinois (or AHAI) to exile Morgan. At no point did Morgan’s medical or mental health providers determine that it would be unsafe for her to participate in hockey or recommend that Morgan withdraw from hockey.

44. There was no basis in Team Illinois or AHAI rules, procedures, requirements or policies to ban Morgan. She was not disciplined. She was not suspended. She was not medically prohibited from playing hockey.

45. Team Illinois banned Morgan due to her disability or, in the alternative, because Defendants perceived her to have a disability.

46. Morgan was at all relevant times capable, eligible, and medically cleared to play hockey.

47. Similarly situated individuals without a disability were not excluded by Team Illinois or AHAI. Other players without a disability frequently miss Team Illinois practices, games, video sessions, dinners, and other activities for a wide range of reasons. Team Illinois players miss activities for family and personal reasons, for travel, for church activities, for injuries, for school conflicts and other reasons.

48. There is no Team Illinois attendance requirement or policy.

49. There is no Team Illinois 100% participation requirement.

50. Only Morgan, because of her disability, was banished and held to the impossible 100% participation standard.

51. Team Illinois's actions segregated, isolated, and excluded Morgan from participating in Team Illinois programs, events, and activities at Seven Bridges Ice Arena and other places of public accommodation. Team Illinois denied her the full and equal enjoyment of the facilities and services of places of public accommodations offered through Team Illinois.

52. Team Illinois discriminated against and banished Morgan at a critical time in her life and hockey career. Morgan was in her first year with Team Illinois, with a new team and teammates. At the same time, she was in her first year of high school, at a new school, and then in an intensive mental health treatment program (while attending school online). In the fall of 2019, she was working to manage her anxiety and depression.

53. At that moment it was devastating to banish Morgan from hockey, from her passion, from the physical activity that had promoted her well-being, and from her teammates who provided her primary social connections.

54. Morgan was banned for a month starting November 14, 2019. Morgan's parents could only secure her return to Team Illinois on December 11, 2019 with the assistance of legal counsel and threat of litigation.

55. To date, Team Illinois and AHAI continue claim that they have the right to discriminate against players based on disability.

56. To date, Team Illinois and AHAI deny that banishing Morgan was discrimination or violated the IHRA.

57. To date, Team Illinois and AHAI stand by the exile of Morgan.

58. Morgan continues to play youth hockey for another youth hockey team under the regulation and control of AHAI. Morgan looks forward to more seasons of youth hockey ahead of her, including seasons in which she may seek to play for Team Illinois.

STATEMENT OF CLAIMS

COUNT I: Violation of the IHRA against Team Illinois *Disability Discrimination*

59. Plaintiff incorporates the preceding paragraphs 1 through 58.

60. The IHRA prohibits "any person" from "deny[ing] or refus[ing] to another the full and equal enjoyment of the facilities, goods, and services of any place of public accommodation" "on the basis of unlawful discrimination." 775 ILCS 5/5-102(A).

61. One basis of "unlawful discrimination" is a person's "disability." 775 ILCS 5/1-103(Q).

62. Morgan is a person with a disability protected by the IHRA.

63. Team Illinois is a person as defined by the IHRA.

64. Team Illinois, Seven Bridges Ice Arena, and other facilities used and controlled by Team Illinois are places of public accommodation.

65. In November 2019, Team Illinois violated the IHRA when it denied Morgan the full and equal enjoyment of the Team Illinois facilities and services because of her disability when it banned her from participating (and indeed even from being present at) any Team Illinois facility, activity or service.

COUNT II: Violation of the IHRA against Team Illinois
Perceived Disability Discrimination

66. Plaintiff incorporates the preceding paragraphs 1 to 58.

67. The IHRA prohibits “any person” from “deny[ing] or refus[ing] to another the full and equal enjoyment of the facilities, goods, and services of any place of public accommodation” “on the basis of unlawful discrimination.” 775 ILCS 5/5-102(A).

68. One basis of “unlawful discrimination” is a person’s “disability.” 775 ILCS 5/1-103(Q). The IHRA defines “disability” to include “the perception of [a disability] by the person complained against.” 775 ILCS 5/1-103(I).

69. To the extent Morgan is found not to be a person with a disability, in the alternative, Morgan is a person perceived by Team Illinois to have a disability and accordingly protected by the IHRA.

70. Team Illinois is a person as defined by the IHRA.

71. Team Illinois, Seven Bridges Ice Arena, and other facilities used and controlled by Team Illinois are places of public accommodation.

72. In November 2019, Team Illinois violated the IHRA when it denied Morgan the full and equal enjoyment of the Team Illinois facilities and services because of her disability

when it banned her from participating (and indeed even from being present at) any Team Illinois facility, activity or service.

COUNT III: Violation of the IHRA against AHAI
Aiding and Abetting Discrimination

73. Plaintiff incorporates the preceding paragraphs.

74. Any “person” violates the IHRA when they “aid, abet, compel, or coerce a person to commit any violation of this Act.” 775 ILCS 5/6-101(B). The IHRA also prohibits “for two or more persons to conspire to” “aid, abet, compel, or coerce a person to commit any violation of this Act.” *Id.*

75. As described above, Team Illinois violated the Act when it discriminated against Morgan on the basis of disability (or perceived disability).

76. AHAI through its board member and agent Mike Mullaly aided, abetted and/or conspired with Team Illinois in November 2019 to violate the Act by discriminating against Morgan.

77. On November 14, 2019, AHAI through Mr. Mullaly aided and abetted discrimination, or conspired to aid and abet discrimination, by Team Illinois by developing, encouraging, endorsing, discussing and agreeing to banish Morgan from Team Illinois until she could return 100% to all Team Illinois activities.

78. Throughout the rest of November 2019, AHAI through Mr. Mullaly continued to aid, abet, and/or conspire with Team Illinois to violate the Act by endorsing and reaffirming the discriminatory ban and unlawful 100% participation requirement imposed by Team Illinois. AHAI defended and endorsed the ban and return requirement, supported Team Illinois in continuing the discrimination, and, even when confronted, did not stop the discrimination.

WHEREFORE Plaintiff Morgan Urso seeks this Court to enter Orders:

- 1) declaring that Defendants violated the Illinois Human Rights Act,
- 2) enjoining Defendants from discriminating on the basis of disability,
- 3) enjoining any policy, practice or requirement that a person must be able to participate in 100% of activities as a condition of participation,
- 4) awarding all available compensatory damages,
- 5) awarding Plaintiff fees and costs under the Act, and
- 6) granting such other and further relief as this Court may deem just and proper or which Plaintiff may be entitled to as a matter of law.

JURY DEMAND

Plaintiff Morgan Urso demands trial by jury on all issues as to which a jury trial is available.

Respectfully submitted,

/s/ Charles D. Wysong _____
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VERIFICATION

Kelly Urso and Nick Urso, under penalty of perjury as provided for by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, certifies that the statements of fact set forth in this Complaint are true and correct except as to those matters stated to be on information and belief and as to such matters, the undersigned certifies as aforesaid that she verily believes the same to be true.



Kelly Urso



Nick Urso