

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
ROCK ISLAND DIVISION

LAURA EBERLIN, PLAINTIFF	FIRST AMENDED
V.	COMPLAINT AND JURY DEMAND
DEERE & COMPANY AND MARA DOWNING, DEFENDANTS	4:25-cv-04139 -SLD-RLH

Laura Eberlin, through her attorney, Dorothy A. O'Brien of O'Brien and Marquard, PLC, states for her First Amended Complaint and Jury Demand against Deere & Company and Mara Downing:

Introduction and Jurisdiction

1. This gender discrimination and retaliation claim is brought by a former employee of Deere & Company whose employment terminated on December 20, 2024 after having been employed for 24 years.
2. The claims are based on three statutes: 1) 42 U.S.C. 2000e (Title VII) which prohibits discrimination based on sex and race along with retaliation for expressing opposition to discrimination; 2) the Illinois Human Rights Act, 775 ILCS 5/1-101 et seq, which also prohibits race, and sex discrimination in employment along with

retaliation for expressing opposition to discrimination; and 3) the Equal Pay Act, 29 USC 206(d).

3. Based on Title VII and the Equal Pay Act there is federal question jurisdiction under 29 USC 1331.
4. The Court should exercise supplemental jurisdiction under 29 USC 1367 over the claim based on the Illinois Human Rights Act because it is based on the same facts and presents common questions of law as the federal claims.
5. Venue is proper in the Central District of Illinois Rock Island Division because the acts occurred in Rock Island County, Illinois, and Deere & Company (Deere) and Mara Downing are located in Rock Island County.

Common Allegations

6. Laura Eberlin resides in Scott County, Iowa.
7. Ms. Eberlin is a white female.
8. Deere manufactures equipment for agriculture, construction, forestry, and lawncare.
9. Deere employs more than 60,000 people globally.
10. Deere's corporate headquarters are in Moline, Illinois.
11. Deere is a Delaware Corporation.
12. Mara Downing is a resident of Scott County and is employed with Deere, working primarily in Rock Island County, IL. Her title is Vice-President of Global Brand and Communications which includes responsibility for administering the John Deere Foundation and work on the company's brand, reputation, and image.

13. During 2024 Ms. Downing also assumed the title of President of the John Deere Foundation and was Ms. Eberlin's direct boss from March to July 2024.
14. Ms. Downing headed the department where Ms. Eberlin worked from 2017 to the end of her 24-year employment with Deere.
15. Ms. Eberlin served as Manager of Global Citizenship and Vice-President of the John Deere Foundation from May 2024 until December 20, 2024.
16. Ms. Eberlin's department supported Deere's social responsibility and community engagement efforts.
17. Ms. Eberlin's duties included managing the Foundation's \$35 million budget, overseeing over 150 non-profit relationships, and working with community leaders across John Deere's global footprint to create, measure, and help promote its community engagement and social responsibility strategy.
18. Ms. Eberlin was qualified for her position.
19. In addition, Deere's records show that Ms. Eberlin had been identified as qualified and an outstanding candidate to serve as president of the foundation.
20. Nathan Clark, Ms. Eberlin's boss from 2017 until he left Deere in March 2024, conducted Ms. Eberlin's employee evaluations which were all reviewed and approved by Mara Downing.
21. Ms. Eberlin's November 2021 performance evaluation rating was "Highly Successful," with her boss noting that she was a "rare talent who had had a wonderful year" and who "consistently performed at a higher level than required."

22. Ms. Eberlin's November 2022 performance evaluation ratings were "Highly Successful." In the evaluation her boss praised her for transforming the foundation's work with food banks and addressing hunger issues in the community. Her boss praised her for her "bold thinking," and her work on connecting Deere's efforts in Mexico, Chicago and other key communities for Deere.
23. Ms. Eberlin's November 2023 performance evaluation ratings were "Outstanding" and "Highly Successful." Among other things, her boss at the time noted that her work was "transformative and influential" and that she was "an exceptional leader and colleague." One of Ms. Eberlin's primary projects for that year was identifying and implementing programs that would systematically address hunger, along with community surveys that helped shape Deere's strategy and economic studies that were important in communications to help Deere's messaging.
24. From 2020-2024 Mr. Clark, Ms. Eberlin, and other members of the Foundation staff advocated for an increase in their salary grades and compensation. These efforts were provoked in part by newly created positions doing similar work as the Corporate Social Responsibility/Global Citizenship team but with fewer responsibilities and at higher salary grades than the Foundation staff along with several other employees who received promotions that came with multiple salary grade increases.
25. The new hires were for the most part, African American, and worked on DEI projects including African American land rights and STEM programs, along with the Public Affairs Department in which the Foundation had once reported into.

26. Mr. Clark, Ms. Eberlin, and other foundation staff members had repeated meetings with Ms. Downing regarding the requested elevation in pay grades and their efforts to be treated in a non-discriminatory manner.
27. In these meetings with Ms. Downing, Ms. Eberlin expressed opposition to discrimination.
28. Ms. Downing's responses in 2020-2022 were generally non-committal or negative but in 2023 she agreed to have an outside firm evaluate the Foundation positions.
29. Korn Ferry, a consulting firm frequently used by Deere, evaluated the positions and confirmed the employees' claims, that their positions were undergraded and underpaid compared to other similar positions in the division.
30. Still, Ms. Downing refused to upgrade the foundation positions.
31. Beginning in late 2023 Ms. Downing took a series of retaliatory actions against Nathan Clark who ended up resigning in March 2024.
32. Ms. Downing then reassigned most of Mr. Clark's duties to Ms. Eberlin, while paying her at a lower salary grade, at about 75 percent of the total compensation paid to Mr. Clark. Ms. Eberlin found herself responsible for most of Mr. Clark's duties along with some of her duties from the previous five years. For the first few months of this assignment she reported to Ms. Downing and was assigned an office.
33. At the same time, Ms. Downing reduced the Foundation staff by about half, from five full time positions to two and a half.

34. In July 2024, Ms. Eberlin mentioned to Ms. Downing that she had been in contact with Mr. Clark and had referred a Deere colleague to Mr. Clark with questions about Iowa law related to gambling in fundraising activities.
35. Shortly after this conversation, Ms. Downing brought Ms. Eberlin into a meeting with HR and falsely accused Ms. Eberlin of being immature, unprofessional, and leaking confidential information by referring the Deere colleague to Mr. Clark. Ms. Downing criticized Ms. Eberlin and accused her of "letting Nate influence you." Ms. Downing announced that because of Ms. Eberlin talking to Nate Clark her position in the organization was reduced, that she was being kicked out of her office, and that she would no longer report to Ms. Downing and instead report to David Ottavianelli.
36. Mr. Ottavianelli was a long time Deere employee who had recently transferred to Global Brand and Communications. He had no Foundation experience, and Downing had been aware of complaints from within Deere and in the community about Mr. Ottavianelli.
37. Ms. Eberlin reminded Ms. Downing there had been complaints from the community about Mr. Ottavianelli including that he was disparaging Eastern Iowa Community College and interfering with its legislative funding.
38. Ms. Eberlin also expressed concerns that Mr. Ottavianelli had pressured her to fund his high school and community college programs with Foundation funds, creating a conflict of interest and demonstrating that he lacked knowledge of the Foundation's obligations to comply with IRS regulations affecting charitable organizations.

39. Ms. Eberlin told Ms. Downing that Mr. Ottavianelli had made discriminatory statements about Foundation clients, including that in his opinion, Food Bank clients should just “get a job,” so they would not need food assistance.
40. In addition, Ms. Eberlin told Ms. Downing that Mr. Ottavianelli had refused to admit to Deere sponsored skilled trade programs, area students who suffered from poverty and were part of Foundation programs, claiming that as a group they were not qualified.
41. Ms. Eberlin reported to Ms. Downing that Mr. Ottavianelli engaged in sexist behavior including man-splaining, criticizing her work ethic, undermining her at meetings, and acting as though he was in control of Foundation money allocation.
42. Ms. Eberlin expressed opposition to discrimination in her complaints about Mr. Ottavianelli.
43. Ms. Downing brushed off Ms. Eberlin’s complaints and requests to be reassigned.
44. In August 2024 a female contingent employee who reported to Mr. Ottavianelli complained to Ms. Eberlin and the office administrator about his disrespectful behavior to her. The employee reported that he yelled and swore at her, and that it was so toxic that she was resigning from her position as a contingent employee working for Deere.
45. Ms. Eberlin, knowing her responsibility as a reporting manager, directed the employee to file a complaint via the Deere Compliance System, filed one herself, and advised her and the office administrator not to discuss the matter further, letting the process take its course.

46. Ms. Eberlin also alerted Ms. Downing of the complaint against Mr. Ottavianelli
47. In the months that followed, Ms. Eberlin renewed her requests to Ms. Downing to allow her to report to someone else. Ms. Downing disregarded her requests.
48. Ms. Eberlin continued to do an outstanding job at Deere; evidenced in part by notes of praise from Mara Downing. On Nov. 8, 2024 Ms. Downing applauded Ms. Eberlin for “impressive” and “inspiring” work and leading her team to great achievements.
49. Ms. Downing’s note described Ms. Eberlin as having a “positive spirit,” collaborative nature” and being a “wonderful colleague.”
50. Ms. Eberlin felt stressed and hopeless reporting to Mr. Ottavianelli; she worked remotely and scheduled meetings to avoid him when possible but her job required regular interaction with him.
51. On November 13, 2024 Ms. Eberlin gave notice that she would resign. Mara Downing did not ask her why she was resigning and in a stern face simply said, “I will process your exit with HR.”
52. Days later Deere terminated Mr. Ottavianelli’s employment.
53. Ms. Eberlin immediately asked to rescind her resignation, but Deere denied the request.
54. In the last few years Deere has allowed other employees to rescind their resignations.
55. Ms. Eberlin filed an internal retaliation complaint on December 3, 2024 when Deere informed her that she could not have her job back.

56. Deere HR, compliance and an in-house Deere attorney discussed whether the investigation into Ms. Eberlin's retaliation complaint should be done internally and quickly or by an outside attorney.
57. The HR representative pointed out that there had been a "history of compliance concerns" about the L3 Deere executive involved
58. Ms. Downing had been the subject of other retaliation complaints subject to its internal investigation process.
59. Deere's in house attorney dismissed the history of compliance concerns and contrary to evidence, claimed that Ms. Downing had not been aware "until the end" there had been compliance cases against the man she assigned to be Ms. Eberlin's boss.
60. There was no indication that the investigation ever occurred or whether there was a conclusion.
61. In December 2024 Deere posted the position of President of the John Deere Foundation internally and externally.
62. Ms. Eberlin applied for the position for which she was well qualified and had been doing the work already.
63. Deere refused to interview or even consider her for the position.
64. In approximately March 2025 Deere and Downing restored the Foundation's staffing to five full time positions, which they had refused to do when Ms. Eberlin led the foundation and despite her requests to do so.
65. Deere's refusal was based on retaliation against Ms. Eberlin for her ongoing opposition to discrimination, including her complaints about pay inequity and

seeking to report to someone other than Mr. Ottavianelli, and guiding the contingent employee to file a compliance case that ultimately resulted in his termination.

66. In April 2025 Deere selected another person for the position of president of the foundation. This person has fewer qualifications for the position than Ms. Eberlin and no history of expressing opposition to discrimination at Deere. The job that Ms. Eberlin was doing prior to her departure and what the newly selected Foundation president is now doing are almost identical.

67. Following the end of her employment at Deere Ms. Eberlin sought other employment and obtained a position with the University of Iowa Center for Advancement, a charitable and fundraising arm of the University of Iowa.

68. As part of her duties for the University of Iowa Center for Advancement, Ms. Eberlin works with a wide variety of boards and advisory councils and non profit and charitable organizations with common goals that seek to improve higher educational outcomes.

69. Ms. Eberlin's assignments and responsibilities involve her interacting with colleagues and professional contacts who have affiliations with Deere and/or who remain employed with Deere.

70. In September 2025 a Deere representative contacted Ms. Eberlin's boss at the University of Iowa Center for Advancement and asked that she be prohibited from participating in any Deere related activities. The caller said the request was based on Ms. Eberlin's work history at Deere. Ms. Eberlin's boss complied with the request and instructed her to also comply. Within the territory Ms. Eberlin manages

in her current job there are over 20,000 John Deere active employees, plus retirees, associates and suppliers that are alumni, donors, board members, and engaged parties.

71. In the last few years Deere has been a major donor to University of Iowa with donations and scholarships exceeding \$6 million.
72. This limitation on Ms. Eberlin's work for the University of Iowa Center for Advancement significantly curtails her work on current and future projects and has damaged her career, work based referrals for future career opportunities, and any future job opportunity with a charitable organization in the location she lives as almost all of them have or want an association to Deere being in Deere's headquarters community where Ms. Eberlin resides and is raising her children
73. Deere's motivation for taking this action against Ms. Eberlin was based on retaliation against her for having opposed discrimination and participated in civil rights proceedings against Deere for its discriminatory actions against her.
74. Ms. Eberlin suffered damage to her career, mental anguish and severe economic loss due to the actions of Deere and Downing.
75. The actions of Deere and Downing were intentional and/or in reckless disregard for Ms. Eberlin's federally protected rights to be free of discrimination and retaliation.
76. The Illinois Human Rights Act, 775 ILCS 5/1-101 et seq., and Title VII of the 1964 Civil Rights Act forbid discrimination in employment based on a person's sex, or color/race and retaliation for expressing opposition to discrimination.

COUNT I – VIOLATION OF TITLE VII AND ILLINOIS HUMAN RIGHTS ACT –
SEX DISCRIMINATION

77. Ms. Eberlin repeats and incorporates by reference the Common Allegations.
78. Deere engaged in pay discrimination based on Ms. Eberlin's gender when it failed to compensate her comparably to her predecessor foundation president who is male.
79. Deere discriminated against Ms. Eberlin in compensation by classifying her two salary grades lower than her male predecessor for doing essentially the same work.
80. Ms. Eberlin filed a charge alleging sex discrimination in connection with her compensation on March 12, 2025 exhausting the administrative requirements for bringing this claim.
81. Ms. Eberlin's Right to Sue letter is attached to this Complaint as Exhibit 1.

COUNT II – VIOLATION OF THE EQUAL PAY ACT

82. Ms. Eberlin repeats and incorporates by reference the Common Allegations.
83. Deere discriminated against Ms. Eberlin in compensation by classifying her two salary grades lower than her male predecessor for doing essentially the same work.
84. The lower salary grade classification resulted in Ms. Eberlin's pay being about half of what it paid to her male predecessor.
85. Deere violated the Equal Pay Act, 20 U.S.C. 206.
86. Deere's discrimination was willful, giving rise to a claim for liquidated damages.

COUNT III – VIOLATION OF TITLE VII AND ILLINOIS HUMAN RIGHTS ACT – RETALIATION

87. Ms. Eberlin repeats and incorporates by reference the Common Allegations.
88. Deere and Mara Downing retaliated against Ms. Eberlin for expressing opposition to discrimination by:

- a. Demoting her in July 2024 by directing her to vacate her office and bumping her down an organization layer, assigning her to report to David Ottavianelli;
- b. Not allowing her to rescind her resignation;
- c. Refusing to interview her or consider her for the President of the Foundation position in December 2024-April 2025;
- d. Refusing to select her for the position of President of the Foundation.
- e. Contacting Ms. Eberlin's employer at the University of Iowa Center for Advancement and instructing that Ms. Eberlin not be associated with any of its engagements and/or activities.

89. Ms. Eberlin filed charges alleging discrimination and retaliation on March 12, 2025, April 28, 2025, and October 4, 2025 and received her Right to Sue Letter on May 15, 2025, July 22, 2025 and October 17, 2025, exhausting the administrative requirements for bringing this claim.

90. Ms. Eberlin's October 17, 2025 Right to Sue letter is attached to this Complaint as Exhibit 1.

JURY DEMAND

91. Ms. Eberlin demands a jury trial.

PRAYER FOR RELIEF

In conclusion, Ms. Eberlin prays this Court for its order entering judgment against Deere & Company and Mara Downing for discriminatory and retaliatory illegal employment acts, for past and future lost wages and benefits, mental anguish,

liquidated damages, punitive damages, attorney fees, and for such other relief that justice requires.

Respectfully submitted,

Dorothy A. O'Brien

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