

**IN THE CIRCUIT COURT
OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS, CHANCERY DIVISION**

STERICYCLE, INC. and CHARLES A. ALUTTO,)	CASE NO.
)	
)	
Plaintiffs,)	VERIFIED COMPLAINT FOR
)	INJUNCTIVE RELIEF
v.)	
)	
CREATED EQUAL PAC, MARK HARRINGTON, and DOES 1 through 100, inclusive,)	
)	
Defendants.)	

Plaintiffs Stericycle, Inc. (“Stericycle”) and Charles A. Alutto (“Mr. Alutto” and, collectively with Stericycle, “Plaintiffs”) bring this action for a temporary restraining order and preliminary and permanent injunctive relief and damages under the laws of Illinois, and in support thereof, allege as follows:

OVERVIEW OF ACTION

1. Plaintiffs are compelled to bring this action and seek injunctive relief in order to stop an unlawful campaign of harassment, intimidation, and invasion of privacy being perpetrated against Plaintiffs by defendant Created Equal PAC (“Created Equal”) and other individuals encouraged by Created Equal or acting at Created Equal’s behest (collectively, with Created Equal and Mark Harrington, “Defendants”). Defendants are perpetrating their carefully-orchestrated campaign as part of an anti-abortion movement and as a result of Stericycle’s lawful business relationship with Planned Parenthood. Even though Plaintiffs take no part whatsoever in any abortions and take no position on that subject or any of the activities of Planned

Parenthood, Defendants' illegal campaign is nonetheless calculated to attempt to imply the contrary by labeling Plaintiffs as enablers of killing children.

2. As part of Defendants' unlawful campaign, they have, *inter alia*: (1) distributed postcards at the homes of residents in Lake Forest and Lincolnshire, Illinois that contained photos of and contact information for Mr. Alutto, Stericycle's Chief Executive Officer, side-by-side with graphic images of mutilated fetuses¹; (2) driven a van through neighborhoods in Lake Forest and Lincolnshire, Illinois – where Mr. Alutto and certain members of Stericycle's Board of Directors reside with their spouses and school-aged children – with a billboard displayed that featured a photo of and contact information for Mr. Alutto side-by-side with images of mutilated fetuses; (3) mailed postcards to the personal residences of Mr. Alutto, certain members of Stericycle's Board of Directors, and other unrelated third parties who reside in neighboring communities, which postcards contained images of mutilated fetuses side-by-side with photos of Mr. Alutto and certain of Stericycle's Board members with verbiage indicating that they “enable[] killing” of children; (4) posted Mr. Alutto's home address and phone number on at least one social media website controlled or operated by Created Equal and encouraged visitors of the website to contact Mr. Alutto and demand that Stericycle discontinue its business relationship with Planned Parenthood; (5) left approximately 300 voicemails for Mr. Alutto on his direct business telephone line in which Defendants have demanded that Stericycle discontinue its business relationship with Planned Parenthood; (6) sent Mr. Alutto over 500 emails to his business email account in which Defendants have demanded that Stericycle discontinue its business relationship with Planned Parenthood; and (7) mailed to Mr. Alutto and at least four of Stericycle's Board members letters demanding that Stericycle discontinue its business relationship with Planned Parenthood.

¹ Mr. Alutto lives in Lake Forest, Illinois and one of these postcards was delivered to his personal residence.

3. Defendants have perpetrated their unlawful smear campaign in a deliberate effort to destroy the reputations and business relationships of Plaintiffs. Defendants' unlawful actions are ongoing and, without the injunctive relief requested herein, will cause irreparable harm to Plaintiffs.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this matter because Defendants' actions giving rise to this litigation occurred primarily in Lake County, Illinois, and Plaintiffs conduct business and Stericycle has employees located in Lake County, Illinois.

5. Venue in this Court is proper pursuant to 735 ILCS 5/2-101 because all, or a portion of, the activity sought to be enjoined has occurred or will occur in Lake County, Illinois. The immediate threat of harm to Plaintiffs extends to individuals in Lake County, Illinois.

PARTIES

6. Plaintiff Stericycle, Inc. is a Delaware corporation that specializes in collecting and disposing of regulated substances, including medical waste and sharps, pharmaceuticals, and hazardous waste. Stericycle's headquarters are located in Lake Forest, Illinois.

7. Plaintiff Charles A. Alutto is the Chief Executive Officer of Stericycle. Mr. Alutto resides in Lake Forest, Illinois, where his office is also located.

8. Defendant Created Equal PAC is an Ohio not-for-profit corporation which describes itself on its website as "21st century defenders" with a cause of "protecting preborn children." See <http://www.createdequal.org/about/mission>.

9. Defendant Mark Harrington ("Harrington") is the Executive Director of Created Equal PAC. On information and belief, Harrington resides within the State of Ohio. On information and belief, Harrington controls or is responsible for managing the activities of

Created Equal, including the unlawful conduct perpetrated against Plaintiffs that is described herein.

10. Defendants Does 1-100, whose specific identifies are not presently known to Plaintiffs, are individuals who have engaged in and perpetrated an unlawful campaign of harassment, intimidation, and invasion of privacy towards Plaintiffs in an effort to convince Stericycle to discontinue its business relationship with Planned Parenthood. On information and belief, Does 1-100 were either encouraged by Created Equal to perpetrate this unlawful campaign against Plaintiffs, or they did so at the behest of Created Equal. On information and belief, one or more of Does 1-100 resides in Illinois.

FACTUAL ALLEGATIONS

11. According to its website, Created Equal is a “social action movement” with a goal of “restor[ing] the true meaning of equality to include equal protection between the born and the preborn.” <http://www.createdequal.org/about/mission>. On information and belief, in early 2016, Created Equal learned that Stericycle provided certain medical waste services for Planned Parenthood. Since that time, Created Equal and other Defendants encouraged by Created Equal or acting at Created Equal’s behest have perpetrated an unlawful campaign to destroy the reputations and business relationships of Plaintiffs and certain of Stericycle’s officers and directors.

12. On approximately February 12, 2016, Plaintiffs learned that a website owned or controlled by Created Equal, “killersamongus.org”, identified medical waste companies, and Stericycle specifically, as the abortion industry’s “weak link.” That website, which is still active as of the filing of this Verified Complaint, alleges that Stericycle is “Planned Parenthood’s main medical waste service provider in America.” The website also poses the question, “What if

Stericycle were to stop doing the dirty work of Planned Parenthood,” with an answer, “Planned Parenthood would be unable to dispose of the babies they kill, and the murder of millions of innocent children by Planned Parenthood would likely halt.” This website provides address, telephone, email, and fax information for Mr. Alutto, and encourages visitors to the website to contact Mr. Alutto and request that Stericycle discontinue its business relationship with Planned Parenthood. A printout of this website is attached as Exhibit 1.

13. On or around February 12, 2016, Created Equal mailed or caused to be mailed postcards featuring graphic images of mutilated fetuses side-by-side with photos of Mr. Alutto and certain members of Stericycle’s Board of Directors. These postcards were sent by U.S. mail to Mr. Alutto’s personal residence in Lake Forest, Illinois, to the personal residences of certain of Stericycle’s Board members, and to unrelated third parties who reside in neighborhoods near the personal residences of Mr. Alutto and Stericycle’s Board members. The postcards contained highly offensive statements that cast Stericycle, Mr. Alutto, and certain of Stericycle’s Board members in a false light, including a statement that Plaintiffs “enable[] killing children.” The postcards contained contact information for Created Equal. An true and correct copy of such a postcard is attached as Exhibit 2.

14. On or around February 12, 2016, Created Equal posted Mr. Alutto’s home address and phone numbers on a Facebook web page owned or controlled by Created Equal, and encouraged people to contact Mr. Alutto and demand that Stericycle terminate its business relationship with Planned Parenthood. This posting violated Facebook’s terms of use.

15. On or around February 12, 2016, Created Equal sent letters to Mr. Alutto and at least four of Stericycle’s Board members demanding that Stericycle discontinue its business

relationship with Planned Parenthood. These letters were sent via U.S. mail to the personal residences of Mr. Alutto and certain of Stericycle's Board members.

16. Between approximately February 12, 2016 and the present, individuals affiliated with Created Equal, or other Defendants encouraged by Created Equal, have left over 300 voicemails for Mr. Alutto at his direct business telephone line. In these voicemails, Defendants have demanded that Stericycle terminate its business relationship with Planned Parenthood.

17. Between approximately February 12, 2016 and the present, individuals affiliated with Created Equal, or other Defendants encouraged by Created Equal, have sent over 500 emails to Mr. Alutto's business email address, in which Defendants have demanded that Stericycle terminate its business relationship with Planned Parenthood. An example of one such email is attached as Exhibit 3.

18. On or around March 29-30, 2016, individuals affiliated with Created Equal, or other Defendants encouraged by Created Equal, distributed postcards at the homes of residents in Lake Forest and Lincolnshire, Illinois. One such postcard was delivered to Mr. Alutto's personal residence in Lake Forest, Illinois, and Defendants unlawfully invaded Mr. Alutto's property to deliver the postcard. The postcards distributed by Defendants contained a photo of Mr. Alutto along with his name, home address, and business telephone number, side-by-side with graphic images of mutilated fetuses. The postcards encouraged recipients to contact Mr. Alutto and demand that Stericycle terminate its business relationship with Planned Parenthood. The backs of the postcards contained contact information for Created Equal.

19. Also on or around March 29-30, 2016, individuals affiliated with Created Equal, or other Defendants encouraged by Created Equal, drove a van through the neighborhoods of Lake Forest and Lincolnshire, Illinois. A billboard was attached to the van that contained a

photo of Mr. Alutto and his name, home address, and office telephone number, side-by-side with graphic images of mutilated fetuses. The billboard encouraged people to contact Mr. Alutto and demand that Stericycle terminate its business relationship with Planned Parenthood.

20. On information and belief, Defendants intend to continue their unlawful campaign to destroy the reputations of Stericycle and certain of its officers and directors.

21. In addition to the violations of law alleged herein, on information and belief, Defendants' conduct constitutes criminal intimidation in violation of 720 ILCS 5/12-6(a), and criminal harassment by telephone in violation of 720 ILCS 5/26.5-2.

22. As a direct, proximate, and foreseeable result of Defendants' unlawful actions, Plaintiffs have suffered and will continue to suffer irreparable injury. Stericycle serves a global marketplace, and its business reputation is critical to the retention and recruitment of its customers. Defendants' unlawful actions described above will cause reputational harm that could be crippling to Stericycle's business. The consequences of such reputational harm will almost certainly include, but are not limited to, loss of future business, loss of customer relationships, and loss of customer loyalty and goodwill.

23. Mr. Alutto is a highly respected resident in his community in Lake Forest, Illinois, where he lives with his wife and school-aged children. Defendants' unlawful actions described above have caused and will continue to cause irreparable reputational harm to Mr. Alutto and his family, as well as emotional, mental, and physical distress.

24. There is no adequate remedy at law for the irreparable harm that would be caused to Plaintiffs if Defendants are not enjoined from continuing their unlawful actions designed to destroy Plaintiffs' reputations.

25. The irreparable harm that Plaintiffs will suffer clearly outweighs any harm that Defendants will suffer if they are compelled to abide by Illinois law.

**FIRST CAUSE OF ACTION
AGAINST ALL DEFENDANTS
(Private Nuisance)**

26. Plaintiffs incorporate by reference Paragraphs 1 through 25 above as though fully set forth herein.

27. Defendants, through the actions described above, have unlawfully caused a substantial invasion of Plaintiffs' private use and enjoyment of Plaintiffs' property.

28. Defendants' invasion into Plaintiffs' private use and enjoyment of Plaintiffs' property was intentional and unreasonable.

29. Defendants' invasion into Plaintiffs' private use and enjoyment of Plaintiffs' property has caused a substantial annoyance to Plaintiffs.

30. Defendants' course of intimidating and harassing conduct is such as would cause a reasonable person to suffer substantial emotional, mental and physical distress.

**SECOND CAUSE OF ACTION
AGAINST ALL DEFENDANTS
(Invasion of Privacy)**

31. Plaintiff incorporates by reference Paragraphs 1 through 25 as though fully set forth herein.

32. Defendants, through the actions described above, have invaded Plaintiffs' privacy by placing Plaintiffs and certain of Stericycle's Board members in a false light before the public.

33. The false light in which Plaintiffs and Stericycle's Board members were placed would be highly offensive to a reasonable person.

34. Defendants acted with actual malice because they knew the statements they made concerning Plaintiffs and Stericycle's Board members were false or were made with reckless disregard for whether the statements were true.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Stericycle, Inc. and Charles A. Alutto respectfully request that the Court grant the following relief in favor of Plaintiffs and against Defendants:

- a. Enter judgment in favor of Plaintiffs and against Defendants on Plaintiffs' claim for private nuisance;
- b. Enter judgment in favor of Plaintiffs and against Defendants on Plaintiffs' claim for invasion of privacy;
- c. Enter orders temporarily, preliminarily, and permanently enjoining Defendants, and any and all persons acting by or under their authority or in privity or concert with them, from intimidating or harassing Mr. Alutto and any other person known or believed to be a current or former employee, officer, or director of Stericycle;
- d. Enter orders temporarily, preliminarily, and permanently enjoining Defendants, and any and all persons acting by or under their authority or in privity or concert with them, from invading the private use and enjoyment of property by Plaintiffs or any person known or believed to be a current or former employee, officer, or director of Stericycle;
- e. Enter orders temporarily, preliminarily, and permanently enjoining Defendants, and any and all persons acting by or under their authority or in privity or concert with them, from distributing any written materials that cast in a false light Plaintiffs or any person known or believed to be a current or former employee, officer, or director of Stericycle;

- f. Enter orders temporarily, preliminarily, and permanently enjoining Defendants, and any and all persons acting by or under their authority or in privity or concert with them, in such further manner as this Court deems appropriate;
- g. Enter orders awarding money damages to Plaintiffs for all damages suffered as a result of Defendants' unlawful actions; and
- h. Grant such further relief as this Court deems just.

Dated: March 31, 2016

Respectfully submitted,



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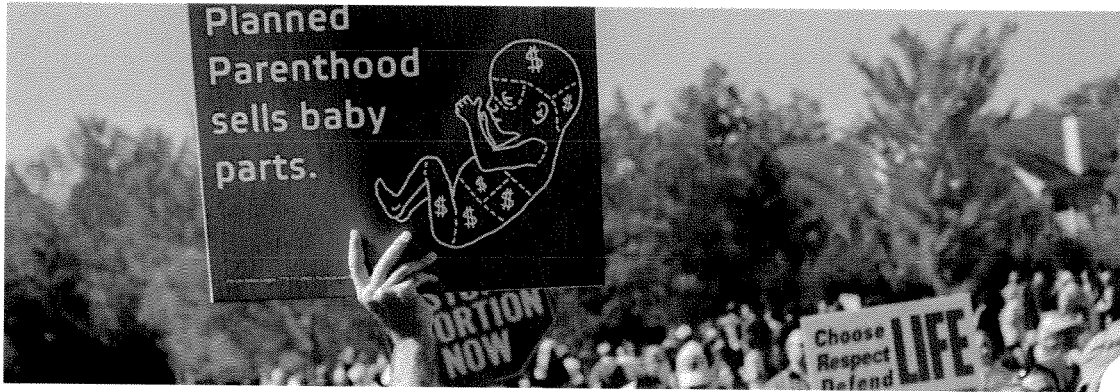
Attorneys for Stericycle Inc. and Charles A. Alutto

VERIFICATION

The undersigned, being an officer or agent of Plaintiff Stericycle, Inc. and having knowledge of the facts contained in this Complaint, hereby verifies the foregoing Complaint on behalf of the Plaintiffs pursuant to 735 ILCS 5/2-605. 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 matters the undersigned certifies as aforesaid that he verily believes the same to be true.

By: 
Title: *EVP and General Counsel*

Exhibit 1



(<http://killersamongus.org/2015/02/10/join-the-coalition/>)

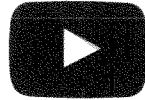
54
Shares

#ProjectWeakLink

“I hired someone to take 20 bottles and put it into my garbage disposal.” – Abortionist Renee Chelian

According to the abortion industry’s own experts, medical waste companies such as Stericycle are the abortion industry’s **weak link**.

#ProjectWeakLink



See how to defeat Planned Parenthood.

The Ohio Attorney General recently reported in *Planned Parenthood Investigation Summary Regarding Disposal of Aborted Fetuses* (http://www.createdequal.org/files/Investigative_Summary_Planne_d_Parenthood.pdf) that Stericycle disposes of fetal remains for Planned Parenthood (PP) facilities in Ohio. Further, Stericycle is Planned Parenthood's main medical waste service provider in America.

Stericycle's collaboration with Planned Parenthood and the abortion industry through its collection, transportation and disposal of aborted children and the instruments used to kill them is well documented (see **Evidence** (<http://killersamongus.org/abortion-enablers/evidence/>)). Providing this service enables the killing of preborn children. Planned Parenthood depends upon medical waste companies to dispose of dead babies.

Question: What if Stericycle were to stop doing the dirty work of Planned Parenthood?

Answer: Planned Parenthood would be unable to dispose of the babies they kill, and the murder of millions of innocent children by Planned Parenthood would likely halt.

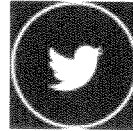


- Contact Stericycle CEO Charles Alutto to respectfully request Stericycle discontinue providing Planned Parenthood with the services of collecting, transporting, and disposing of aborted children and the instruments used to kill them (sample script for calls and emails: **download** (<http://killersamongus.org/wp-content/uploads/2016/02/Stericycle-sample-call-email.rtf>)/**view** (http://killersamongus.org/wp-content/uploads/2016/02/Stericycle_sample_call_email.pdf)).
 - Phone: 847-607-2004
 - Email: **calutto@stericycle.com** (<mailto:calutto@stericycle.com>)
 - Fax: 847-367-9493
 - Physical mail: Charles Alutto, Chairman of the Board, Stericycle, Inc., 28161 North Keith Drive, Lake Forest IL 60045
- Sign the **petition** (<http://killersamongus.org/stop-stericycle-petition/>) to stop Stericycle from collaborating in the deaths of millions of babies by abortion.

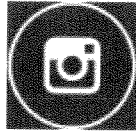
To contact us, Click **HERE**. (<http://killersamongus.org/contact-us/>)



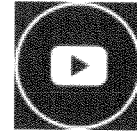
(<https://www.facebook.com/CreatedEqual>)



(<https://twitter.com/CreatedEqualOrg>)



(<https://instagram.com/CreatedEqualOrg>)



(<https://www.youtube.com/user/createdequalfilms>)



([https://itunes.apple.com/us/podcast/activist-radio-](https://itunes.apple.com/us/podcast/activist-radio-mark-harrington/id827982678?mt=2)

[mark-harrington/id827982678?mt=2](https://itunes.apple.com/us/podcast/activist-radio-mark-harrington/id827982678?mt=2))

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Created Equal condemns all abortion related violence.

Theme by Colorlib (<http://colorlib.com/>) Powered by WordPress (<http://wordpress.org/>)

Exhibit 2

CREATED EQUAL
PO BOX 360502
COLUMBUS OH 43236

PRESORTED STANDARD
U.S. POSTAGE PAID
2EVERYDOOR
ECRWSS

LOCAL
POSTAL CUSTOMER

#KILLERSAMONGUS

Waste service provider **Stericycle** is enabling Planned Parenthood to kill babies by abortion.

Planned Parenthood depends upon others to dispose of their victims' bodies. According to the Ohio Attorney General's office*, waste service provider **Stericycle** disposes of fetal remains for Planned Parenthood facilities, despite contract language specifically stipulating **Stericycle** cannot accept human remains, including aborted fetuses.

So long as **Stericycle** disposes of Planned Parenthood's victims, they permit the killing to continue. **Stericycle** is enabling killers among us.

* *Planned Parenthood Investigation Summary Regarding Disposal of Aborted Fetuses*

Created Equal condemns all abortion related violence.



STERICYCLE CEO
CHARLES ALUTTO



MARK C. MILLER



JACK SCHULER



MIKE ZAFROFSKI



JOHN PATIENCE

ENABLES KILLING CHILDREN

STERICYCLE

KillersAmongUs.org



5 MONTH ABORTED BABY

created equal

Mark Harrington

National Director

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CreatedEqual.org

Facebook.com/createdequal

Exhibit 3

From: LaVerne Helfert [<mailto:LHelfert@LineageLogistics.com>]
Sent: Tuesday, February 23, 2016 8:22 AM
To: Alutto, Charlie
Subject: Stop Disposing Aborted Baby Body Parts and the Equipment
Importance: High

Dear Sir or Madam:

I writing to you as a concerned citizen of this great nation. I plead with you to sever your connection with Planned Parenthood in the grisly business of disposing of aborted baby parts and the equipment that is used to bring about their deaths. Abortion is not women's health, it's murder. The child that is ripped from its mother's womb is a living, breathing creation of the Most High God. That child was created for a purpose and only God has the right to decide when his or her life should end. We, the American people are guilty of a great sin by legalizing this horrible practice and rest assure, if we do not turn from it we will be greatly judged by God.

I pray that you see how wrong it is to be in partnership with Planned Parenthood. What they do and how they do it is nothing short of horror and if you partner with them, then you are just as guilty as they are. Citizens of this nation who sit back and say or do nothing to bring this criminal practice to an end are also just as guilty, which is why I'm taking this opportunity to encourage you to end your partnership with Planned Parenthood. No amount of money will keep God's judgement away from you if you continue to partner with them.

I pray you sever the relationship and then ask God to forgive you for the part you played, be it willingly or not. In Jesus name. Amen.

LaVerne Helfert
Office Manager



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