



*United States Attorney  
Southern District of New York*

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**MANHATTAN U.S. ATTORNEY LAUNCHES INITIATIVE TO REVIEW  
DISABILITY ACCESS AT MANHATTAN'S MOST POPULAR  
RESTAURANTS**

PREET BHARARA, the United States Attorney for the Southern District of New York, today announced the launching of a review of more than 50 of Manhattan's most popular restaurants to determine whether they are being operated in compliance with the Americans with Disabilities Act of 1990 (the "ADA"). The restaurants selected were those deemed "most popular" in the 2011 Zagat Guide, which determines its rankings based on thousands of patron-generated surveys. This initiative is being conducted in accordance with the Government's congressionally-mandated responsibility to review compliance with the ADA, and not in response to any specific complaint against a restaurant.

Manhattan U.S. Attorney PREET BHARARA said: "More than 20 years after the passage of the Americans With Disabilities Act, public accommodations like restaurants have little excuse for not complying with this important civil rights law. Most restaurant owners well understand their duty to follow the law, and fairness to both law-abiding proprietors and people with disabilities requires bringing anyone flouting the law into the 21st century, by legal action if necessary. In New York City, arguably the restaurant capital of the world, no one should be unfairly deprived of the opportunity to enjoy the City's world class dining offerings, and we will take all reasonable legal steps to make sure they are not. As with past initiatives, we hope that any restaurants found to be seriously deficient will voluntarily upgrade their facilities and avoid litigation. We also hope that proprietors who are today planning renovations or new restaurants will keep the ADA firmly in mind before finalizing those plans, when it is much less costly to do so."

As part of the review, restaurant owners and operators are being asked to complete a Survey Form, supplied by the Government, indicating their restaurant's accessibility. Investigators may then conduct on-site inspections to confirm

survey responses and to evaluate compliance with federal ADA regulations. Owners and operators of restaurants found to be non-compliant will have the option of entering into a Voluntary Compliance Agreement with the Government whereby they voluntarily agree to upgrade their facilities to meet ADA requirements. Owners and operators found to be engaging in a pattern or practice of discrimination, or that fail to enter Voluntary Compliance Agreements, may face a civil lawsuit brought by the Government and/or be subject to penalties, including monetary damages and civil fines.

Today's review follows the Office's successful Hotels Initiative, which assessed the compliance of approximately 50 hotels in Times Square with ADA regulations. As a result of the Hotels Initiative, the Office has entered into Voluntary Compliance Agreements with 33 hotels and obtained Court-ordered Consent Decrees concerning five other hotels, vastly increasing the number of accessible hotel rooms in the Times Square area.

Since the first President Bush signed the ADA into law in 1990, the U.S. Attorney's Office for the Southern District of New York has taken a leading role in bringing numerous New York City institutions into compliance with the ADA regulations. They include the Metropolitan Opera, Yankee Stadium, Madison Square Garden, the Apollo Theater, the Puck Building, the Shubert Theaters, the Rainbow Room, and Radio City Music Hall.

The Restaurants Initiative is being handled by the Office's Civil Rights Unit. Assistant U.S. Attorneys AMY A. BARCELO, CHRISTOPHER CONNOLLY, and CRISTINE IRVIN PHILLIPS are in charge of the review.

To file a complaint alleging that a restaurant or any other place of public accommodation within the Southern District of New York is not accessible to persons with disabilities, use the Civil Rights Complaint Form available on the United States Attorney's Office's website, [www.usdoj.gov/usao/nys](http://www.usdoj.gov/usao/nys). Complaints should be sent to:

U.S. Attorney's Office, Southern District of New York  
86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York, 10007  
Attention: Chief, Civil Rights Unit

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