



*United States Attorney
Southern District of New York*

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**MANHATTAN U.S. ATTORNEY AND METROPOLITAN OPERA REACH
AGREEMENT ON COMPLIANCE WITH THE AMERICANS
WITH DISABILITIES ACT**

*Settlement Ensures Equal Access For Persons With Disabilities
To Historic Met Opera House*

PREET BHARARA, the United States Attorney for the Southern District of New York, announced today that the United States has filed, and simultaneously settled, a civil rights lawsuit in Manhattan federal court under the Americans with Disabilities Act of 1990 ("ADA") against the Metropolitan Opera (the "Met") for failure to comply with the ADA. The settlement agreement, in the form of a consent decree, was submitted today for approval to U.S. District Judge GEORGE B. DANIELS, and is designed to ensure that the historic Metropolitan Opera House at Lincoln Center is accessible to persons with disabilities.

Manhattan U.S. Attorney PREET BHARARA stated: "The comprehensive corrective measures agreed to by the Met ensure that people with disabilities will have an equal opportunity to enjoy the performances offered by one of New York City's finest cultural institutions. We are pleased that the Met has worked cooperatively with our Office to resolve this matter."

The Met is a not-for-profit performing arts organization founded in 1883. The Met has been a tenant of the Metropolitan Opera House at Lincoln center since 1966.

The Manhattan U.S. Attorney's Office initiated its investigation upon receiving a complaint from a member of the public that the Met was not fully accessible. In response to the investigation, the Met made a number of changes to increase accessibility, including:

- installing additional wheelchair and companion seating;
- renovating its restrooms to make them accessible;

- renovating its concession stands to make them accessible;
- installing appropriate raised letter or Braille signs throughout the facility;
- installing additional accessible drinking fountains; and
- eliminating barriers to accessibility in its elevators.

The proposed consent decree reflects the ADA accessibility improvements undertaken by the Met during the course of its cooperation with the investigation. The consent decree additionally requires the Met to maintain the wheelchair and companion seating arrangement and revise its ticket release policy with respect to such seating to ensure that a minimum number of wheelchair and companion seats are reserved for a sufficient amount of time prior to performances. The consent decree also requires the Met to eliminate barriers to the remaining three elevators. Finally, the consent decree requires the Met to revise its emergency evacuation procedures to ensure that all individuals with disabilities receive necessary information and assistance.

Mr. BHARARA thanked the Civil Rights Division of the Department of Justice for their assistance in this matter.

This case is being handled by the Office's Civil Rights Unit. Assistant U.S. Attorney LARA K. ESHKENAZI is in charge of the case.

Since the ADA was enacted in 1990, the Office's Civil Rights Unit has taken steps to bring a number of significant New York City institutions into compliance with the ADA, including the following:

- **Yankee Stadium:** On January 28, 1999, the Office joined a private lawsuit filed against the New York Yankees alleging that the previous Yankee Stadium was inaccessible to people with disabilities. On December 13, 1999, the parties entered into a consent decree resolving that suit and successfully increasing the accessibility of the Stadium. On April 14, 2009, the Office announced that it had completed its review of the new Yankee Stadium, resulting in an agreement with the Yankees to provide more than 500 wheelchair spaces and 500 companion seats, accessible entrances, ticket windows, bars, lounges, restrooms, and other amenities.

- **Madison Square Garden:** On November 1, 2007, the United States filed a civil lawsuit against Madison Square Garden and its owners and operators for failing to operate the Garden to accommodate persons with disabilities. Simultaneous with the filing of the complaint, the Office entered into a comprehensive consent decree with Madison Square Garden, under which the Garden agreed to provide seating for people with disabilities at a variety of seating areas in the Garden. The Garden further agreed to pay \$55,000 for operating out of compliance with the ADA.
- **Apollo Theater:** On June 28, 2005, the United States filed a complaint against the historic Apollo Theater in Harlem following this Office's investigation into a complaint alleging that the Apollo was not accessible to persons with disabilities. Simultaneous with the filing of the complaint, the Office entered into a consent decree with the Apollo, under which the Apollo, for the first time in its history, agreed to provide seating for wheelchair users, renovate its entrances, bathrooms, and other amenities so that it would be fully accessible to people with disabilities.
- **Puck Building:** On July 14, 2004, the United States filed a civil lawsuit against New Puck, LP, following an investigation by the Department of Justice into a complaint that the historic Puck Building violated the ADA by failing to remove barriers to provide access to and within the public function rooms of the Puck Building. On the same day, the Office and New Puck, LP entered into a consent decree, which ensured that this landmarked building in Soho would be accessible to persons with disabilities.
- **Shubert Theaters:** On September 25, 2003, the United States filed two complaints against the Shubert Organization, Inc., and simultaneously entered into consent decrees with the organization, which owns and operates 16 landmarked Broadway theaters - the Ambassador, the Barrymore, the Belasco, the Booth, the Broadhurst, the Broadway, the Cort, the Golden, the Imperial, the Longacre, the Lyceum, the Music Box, the Plymouth, the Royale, the Shubert, and the Winter Garden. Under the consent decrees, the Shubert Organization agreed to make these theaters accessible to people with disabilities in compliance with the ADA.