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**MADISON SQUARE GARDEN AGREES TO SETTLE CIVIL RIGHTS  
LAWSUIT ALLEGING VIOLATIONS OF THE  
AMERICANS WITH DISABILITIES ACT**

MICHAEL J. GARCIA, the United States Attorney for the Southern District of New York, and RENA J. COMISAC, Acting Assistant Attorney General for the Civil Rights Division, announced today that the United States has settled a civil lawsuit under the Americans with Disabilities Act of 1990 (the "ADA") against the owners and operators of Madison Square Garden (the "Garden"), the sports and entertainment arena. The lawsuit was filed by the Government and simultaneously settled through a Consent Decree, under the terms of which the Garden has agreed to take steps to make its Arena accessible to individuals with disabilities in compliance with the ADA. The case was assigned to United States District Judge RICHARD J. HOLWELL of Manhattan federal court, and the Consent Decree, which is subject to the Court's approval, has been submitted to him for review.

According to the Complaint: The Garden was originally opened in 1968 as a state-of-the-art, multi-use sports and entertainment facility. In 1991, the Garden underwent a major renovation to the entire facility during which its main arena was extensively modified. Since the passage of the ADA 17 years ago, the Garden has made a number of alterations to its facilities but, as the Government alleges in its Complaint, failed to comply with federal law in doing so.

Under the terms of the Consent Decree, the Garden has agreed to provide 50 wheelchair and companion seats in the Arena. By November 4, 2007, the Garden will provide two wheelchair and two companion seats on the Arena floor for basketball games. For hockey games, concerts, and other events, these seats will be provided no later than January 31, 2008. By October 1, 2008, the Garden will provide 48 additional wheelchair and companion seats in locations dispersed throughout the Garden. The Garden will

also install 20 accessible aisle seats in the Arena by January 31, 2008, and will install another 40 accessible aisle seats by October 1, 2008.

In addition to providing for this seating, the Decree also obligates the Garden to remedy hundreds of architectural barriers along the routes between the Garden's entrances and the newly accessible seats. This will ensure that patrons with disabilities will be able to use all of the restaurants, bars, elevators, bathrooms, telephones, and drinking fountains that line the routes to their seats.

As a result of the Consent Decree, fans with disabilities will for the first time in the Garden's history have a right to purchase accessible floor seats in the Arena for all events. The Decree ensures that the Garden's ticketing and pricing policies for all Arena events will afford individuals with disabilities the opportunity to benefit from the Garden's services in a manner comparable to that afforded to other individuals, giving first preference for tickets for wheelchair locations and companion seating for all events at the Arena to those who request such seats for reasons related to a disability.

The Garden has also agreed to pay \$55,000 to the United States, and to expend at least \$10,000 per year for the next three years on advertisements promoting the availability of accessible seating.

Finally, the Garden has agreed to comply with the ADA in all respects if it relocates to a location other than its current site, or substantially renovates its current facility. The Garden has represented that it intends either to relocate to a new facility or, alternatively, to undertake a significant renovation of the existing Garden. Based on that representation, the United States has agreed to the changes described above (as well as others) that will benefit individuals with disabilities attending events at the Garden during the 2007-08, 2008-09, and 2009-10 basketball and hockey seasons. Should the Garden's planned relocation or renovation not occur in accordance with the Garden's anticipated schedule, the Garden has committed to make additional changes to the current Garden, subject to good faith negotiations with the government, to further enhance accommodations for individuals with disabilities beginning with the 2010-11 season. Should the Garden not relocate or renovate, and not make additional changes to the current Arena, the Government may, under the Consent Decree, seek additional remedies through litigation.

The ADA, which took effect in 1992, was enacted to address what Congress characterized as a "serious and pervasive social problem" of discrimination against individuals with disabilities in public accommodations, employment, transportation, and other areas of public life. In passing the ADA, Congress expressly found that individuals with disabilities continually encounter various forms of discrimination, including the effects of architectural barriers. The ADA bans discrimination against persons with disabilities by owners and operators of public accommodations, and establishes an ongoing requirement for such owners and operators to remove architectural barriers to access where such removal is "readily achievable," and to provide alternative methods to make services available where it is deemed not readily achievable to remove such barriers. The ADA also requires owners and operators of public accommodations to make required alterations to facilities readily accessible to individuals with disabilities to the maximum extent feasible, to provide appropriate and necessary auxiliary aids and services, and to reasonably modify policies to otherwise ensure "full and equal enjoyment" of these services by individuals with disabilities.

Mr. GARCIA stated: "Equal access to Madison Square Garden for those with disabilities is required by law. Today's agreement is the first step toward ensuring every visitor to the Garden can fully enjoy the events held there."

"The Justice Department will continue to vigorously enforce the Americans with Disabilities Act so that individuals with disabilities and their families have equal access to the Nation's sports and entertainment venues, like New York City's iconic Madison Square Garden," said Mrs. COMISAC.

A Fact Sheet summarizing the principal terms of the Consent Decree is attached.

Assistant United States Attorneys SEAN C. CENAWOOD, JAMES L. COTT, and BENJAMIN H. TORRANCE are in charge of the case.

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