



# UNITED STATES ATTORNEY'S OFFICE

## *Southern District of New York*

U.S. ATTORNEY PREET BHARARA

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<http://www.justice.gov/usao/nys>

CONTACT: Herbert Hadad, Ellen Davis  
Carly Sullivan, Jerika Richardson  
(917) 993-1900 / (212) 637-2600

### **UNITED STATES SUES ORANGE COUNTY LAW FIRM AND PARTNER FOR DISCRIMINATING AGAINST CLIENT ON THE BASIS OF DISABILITY**

Preet Bharara, the United States Attorney for the Southern District of New York, announced today that the United States has filed a civil rights lawsuit against the Orange County law firm LARKIN, AXELROD, INGRASSIA AND TETENBAUM, LLP ("LARKIN, AXELROD") and firm partner JOHN INGRASSIA ("INGRASSIA"), alleging discrimination on the basis of disability in violation of Title III of the Americans with Disabilities Act of 1990, ("Title III"). LARKIN, AXELROD, which has offices in Newburgh and Middletown, New York, and INGRASSIA, are alleged to have unlawfully discriminated against their client, Lauren Klejmont ("Klejmont"), on the basis of her disability, by refusing to meet with her in their offices because she was accompanied by a service animal, her dog.

U.S. Attorney Preet Bharara stated: "The notion that a law firm and a partner in the firm would so flagrantly violate such a clear and well-established law, as was alleged in this case, is disturbing. Of all people, lawyers should know better. Individuals with disabilities are entitled to the same access to private businesses as everyone else, and it should be understood loud and clear that we will not tolerate discriminatory conduct."

According to the Complaint filed in the White Plains federal court:

Title III of the ADA prohibits discrimination by lawyers, doctors, hospitals, restaurants, hotels, retail stores, private transportation providers and other private businesses and nonprofit organizations that provide services to the public. All of these entities are prohibited from excluding individuals with disabilities from their facilities, services and programs because they use service animals. If any of these entities has a rule excluding pets or other animals, it must make an exception to that rule and permit an individual with a disability to be accompanied by a service animal.

Klejmont, who sustained injuries to her central nervous system, has a disability that is covered by Title III. As a result, she uses a service animal - a dog - that is trained to perform crucial tasks for her, including picking up and carrying things, and helping her to stand up when she falls. In 2007, she retained LARKIN, AXELROD to represent her in connection with a personal injury lawsuit.

In January 2009, Klejmont arrived at the LARKIN, AXELROD office in Newburgh, New York, for a conference to discuss her lawsuit. INGRASSIA and another attorney refused to

meet her because she was accompanied by her service animal. INGRASSIA and the associate asked Klejmont to leave the service animal outside while they had their meeting in INGRASSIA's office. Despite Klejmont's request that the meeting be held elsewhere on the firm's premises so she could bring her dog inside, INGRASSIA and the associate would not relent and Klejmont eventually left. In January 2010, the associate wrote to Klejmont to ask her to come to the firm's offices to sign documents, but instructed her not to bring her service animal to the meeting. Alternatively, he offered to meet her in the firm's parking lot as long as the dog remained in the car. The associate repeated these instructions in a second letter on LARKIN, AXELROD letterhead later that month.

The Complaint filed today seeks to require LARKIN, AXELROD to take necessary steps to prevent and remedy future discrimination on the basis of disability, particularly against individuals who use service animals, to provide sufficient compensatory damages to Klejmont for the injury she suffered as a result of the unlawful discrimination against her, and to pay a civil penalty.

This case is being handled by the Office's Civil Rights Unit. Assistant United States Attorney Michael J. Byars is in charge of the case.

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