



Department of Justice

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Crescent Springs Business Reaches Agreement with Government Addressing Compliance with the Americans with Disabilities Act

LEXINGTON, Ky. – MD Food, the owner of a Subway franchise in Crescent Springs, Kentucky (“MD Food”), will pay \$1,000 to a complainant and modify its policies and practices, to ensure access for individuals with disabilities using a service animal, as part of a civil settlement agreement with the federal government. The agreement resolves a civil investigation by the U.S. Attorney’s Office for the Eastern District of Kentucky into allegations that MD Food excluded an individual using a service animal, in violation of the Americans with Disabilities Act. (“ADA”).

The investigation was prompted by a citizen complaint. The complainant, a veteran, suffers from post-traumatic stress disorder and uses a service animal to assist with his disability. He attempted to dine-in at the Subway restaurant, but an employee required him to leave, pursuant to its “no dogs” policy. Because of the denial of access, the veteran reported that he was embarrassed, anxious, and suffered emotional distress.

Under federal law, private entities that own or operate places of “public accommodation,” including restaurants, are required to modify their policies, practices, or procedures—such as a no pet policy—to permit the use of a service animal by an individual with a disability. A service dog generally may go wherever the public is allowed, and a public accommodation may not require documentation about the service dog.

“Restaurants, as public accommodations, are required to ensure proper access to their customers with disabilities,” said Carlton S. Shier, IV, Acting United States Attorney for the Eastern District of Kentucky. “This includes allowing service dogs, which are a necessary means for many individuals with disabilities. The Department of Justice is committed to ensuring that individuals with disabilities have proper access under the ADA and we are pleased that MD Food has agreed to modify its policies and practices to comply with the Act.”

Under the agreement, MD Food will adopt and implement a service dog policy; provide training on the service dog policy to employees and managers; post the service dog policy at the restaurant; and pay \$1,000 in damages to the veteran. MD Food cooperated with the government throughout the investigation.

This matter was handled by Assistant U.S. Attorney Carrie Pond, in coordination with the Disability Rights Section of the U.S. Department of Justice Civil Rights Division.

People interested in finding out more about the ADA or this settlement agreement can call the toll-free ADA Information Line at 800-514-0301 or 800-514-0383 (TDD), or access the ADA website at <http://www.ada.gov>. More information about the Civil Rights Division and the laws it enforces is available at www.justice.gov/crt.

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