



**WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS & URBAN AFFAIRS**

For Immediate Release

**POTBELLY SANDWICH WORKS AGREES TO MODIFY ALL
RESTAURANTS TO BE FULLY ACCESSIBLE TO PEOPLE WITH DISABILITIES**

WASHINGTON, DC, November 21, 2007 – In an exemplary civil rights agreement reached today, Potbelly Sandwich Works, the popular restaurant chain, has agreed to modify all existing restaurants and design all new restaurants to be fully accessible to people who use wheelchairs.

Represented by the Washington Lawyers' Committee for Civil Rights and Urban Affairs and by the law firm of Bingham McCutchen LLP, a lawsuit was brought by Rosemary Ciotti, who uses a wheelchair, and the Equal Rights Center (ERC), a non-profit civil rights organization. The plaintiffs alleged that Potbelly's ordering stations were too high for Ms. Ciotti to use and that their tables were inaccessible to a person in a wheelchair. According to the Americans with Disabilities Act (ADA), new places of public accommodation, including restaurants, must be "readily accessible to and usable by individuals with disabilities." Furthermore, alterations to older facilities must be made in order to provide individuals with disabilities the greatest access possible.

Potbelly has committed to placing ADA compliant ordering stations in all new restaurants. It will also retrofit ordering stations in all existing restaurants so that a person in a wheelchair or a person of short stature will be able to see the menu and speak to the staff person behind the counter.

"We appreciate that Potbelly will make their ordering stations more accessible," said Ms. Ciotti. "I think it will certainly make people with disabilities feel more welcomed in the restaurant, and I hope that other restaurants will follow Potbelly's example."

In addition, Potbelly will continue to ensure that at least five percent of the seating in its restaurants will be ADA compliant and that all their restaurants will be surveyed for other barriers that may now limit access to Potbelly by people with disabilities. The ERC has already surveyed all Potbelly restaurants in D.C., and the company has agreed to remove all identified barriers in those locations. In the settlement, Potbelly also agreed to make a donation of an undisclosed amount to the ERC.

"The ERC is delighted with Potbelly's example setting commitment," commented Rabbi Bruce Kahn, Executive Director of the Equal Rights Center. He added, "That example is needed terribly in a country suffering an epidemic of exclusion. Every day millions of people with disabilities are prevented from entering and patronizing a vast number of inaccessible restaurants in the nation's capital and all across America. Potbelly Sandwich Works is pointing the way for a great many other restaurants to follow. That way is both right and lawful, and it seems to me that it makes good business sense too."

Potbelly Sandwich Works is a privately owned company headquartered in Chicago, Illinois. It operates restaurants in over 170 locations in 11 states, including Washington, D.C., Virginia, and Maryland.

- more-

Potbelly 1.../2



**WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS & URBAN AFFAIRS**

The Equal Rights Center began in 1999 and consists of three former Greater Washington agencies: The Fair Housing Council, the Fair Employment Council and the Disability Rights Council. The ERC is a unique private, not-for-profit, civil rights organization that is dedicated to identifying, challenging, and eliminating discrimination against members in all protected groups, in regard to housing, employment, public accommodations, and government services. The ERC's work includes education, research, testing, counseling, enforcement, and advocacy. To obtain more information about the Equal Rights Center, please go to www.equalrightscenter.org or call the Equal Rights Center at 202.234.3062.

The ERC was represented by the Washington Lawyers' Committee for Civil Rights and Urban Affairs and by the law firm of Bingham McCutchen LLP. The Washington Lawyers' Committee for Civil Rights & Urban Affairs was established in 1968 to provide pro bono legal services to address issues of discrimination and entrenched poverty. Since its founding, the Committee has handled more than 5,000 cases on behalf of individuals and advocacy organizations in the areas of equal employment, fair housing, public accommodations, public education, asylum and refugee rights, and disability rights. For more information about the Committee, see www.washlaw.org. The Committee can be reached at 202.319.1000.

Bingham McCutchen LLP – www.bingham.com – is a national law firm with global capabilities, with nearly 1,000 attorneys in 13 offices. The firm represents clients in high-stakes litigation, complex financing and regulatory matters, government affairs, and a wide variety of sophisticated corporate and technology transactions.

For more information contact:

Rabbi Bruce E. Kahn, 202.234.3062 ext. 1101
Executive Director, Equal Rights Center
bkahn@equalrightscenter.org

E. Elaine Gardner, 202.319.1000 ext. 131
Washington Lawyers' Committee for Civil Rights and Urban Affairs
Elaine_Gardner@washlaw.org

#

Potbelly 2.../2