



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

**For Immediate Release**

**METRO BOARD APPROVES SETTLEMENT TERMS IN  
METROACCESS CLASS ACTION LAWSUIT**

WASHINGTON, D.C., June 28, 2007—The Equal Rights Center, represented by Wiley Rein LLP and the Washington Lawyers' Committee for Civil Rights and Urban Affairs, announced today that it has reached a tentative settlement of a class action lawsuit against MetroAccess, the District's paratransit service for people with disabilities. Under the terms of the multi-million dollar settlement, which is subject to court approval, MetroAccess will hire expert consultants to assist in its ongoing oversight of MetroAccess performance and enhance service by increasing the paratransit budget by \$4 million a year over a three-year period. In addition to the service improvements required by the proposed settlement, every MetroAccess patron will receive 10 free rides, valued at approximately \$425,000. There will be a financial recovery for those who actively participated in the class action lawsuit: fourteen MetroAccess riders who were named as plaintiffs will each receive \$5,000; riders who were deposed or provided affidavits will receive \$1,000; and the Equal Rights Center will receive \$65,000, in diversion of mission damages, plus an additional \$250,000 to be paid to it over the next three years to cover ERC costs of monitoring and advancing MetroAccess progress.

The lawsuit, which was filed in 2004 by the Disability Rights Council (now the Equal Rights Center), alleged that Metro had violated the Americans with Disabilities Act and the Rehabilitation Act by failing to provide adequate service to customers with disabilities. Although Metro maintained that its service met the requirements of the law, the transit agency adopted a new paratransit contract and implemented a broad array of enhancements to the program after the lawsuit and an intensive review by the Metro Board.

"MetroAccess is charged with delivering nothing less than life-sustaining transportation to thousands of DC-area residents," noted Rabbi Bruce E. Kahn, Executive Director of the Equal Rights Center. "The vehicles must arrive on time and at the right address. The drivers must grasp the importance of properly responding to the needs of their patrons. The consequences of failure are intolerable."

According to the complaint, Metro significantly limited the availability of service to paratransit-eligible individuals due to severe service shortfalls including significantly late or early pickups; unreasonably lengthy and circuitous trips; significant driver "no-shows" resulting in missed trips; inadequate telephone and dispatcher coverage; failure to provide accurate information about when late vehicles would arrive; inadequately trained drivers insensitive to the needs of riders with disabilities; and failure by drivers to announce arrival of vehicles to visually-impaired riders.

"MetroAccess, to its lasting credit, will institute remarkable improvements to its paratransit services. The Equal Rights Center will continue to do everything in its power to help MetroAccess make this remarkable settlement work as well as intended or better," Rabbi Kahn concluded.

The plaintiffs were represented by the law firm of Wiley Rein LLP, which has pledged its recovery of attorneys' fees to the Washington Lawyers' Committee on Civil Rights and Urban Affairs.

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The Equal Right Center is a private, not-for-profit, civil rights agency that began in 1999 when the Fair Housing Council of Greater Washington and the Fair Employment Council of Greater Washington merged. In 2005, The Disability Rights Council of Greater Washington merged into the ERC. It is dedicated to identifying, challenging, and eliminating discrimination in housing, employment, public accommodations, and government services through education, research, testing, counseling, enforcement, and advocacy. For more information about the Equal Rights Center, visit [www.equalrightscenter.org](http://www.equalrightscenter.org) or call 202-234-3062.

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, visit [www.washlaw.org](http://www.washlaw.org) or call 202-319-1000.

Founded in 1983, Wiley Rein LLP counsels leaders in numerous industries nationwide and around the world. Recognized for excellence, integrity and efficiency, the firm has over 270 attorneys practicing in more than two dozen specialties of law. For more information about the firm, and its commitment to *pro bono* service, visit [www.wileyrein.com](http://www.wileyrein.com) or call 202-719-3157.

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