



WASHINGTON LAWYERS' COMMITTEE
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For Immediate Release

\$14 Million WMATA Lawsuit Opens the Door for Thousands of People With Disabilities

WASHINGTON, D.C., June 5, 2008 – In what is believed to be one of the most comprehensive class settlements relating to public transportation for people with disabilities, U.S. District Court Judge Henry H. Kennedy approved a \$14 million settlement with MetroAccess, which will drastically improve the previously often dismal operations of one of the nation's largest curb-to-curb paratransit services for people with disabilities.

MetroAccess is a facet of the Washington Metropolitan Area Transit Authority (WMATA) that provides rides to people who, by virtue of their disabilities, cannot otherwise use the fixed route public transportation system. It is a congressionally required program under the 1990 Americans with Disabilities Act.

The Equal Rights Center (ERC), a non-profit civil rights organization, filed the lawsuit against WMATA more than four years ago based on hundreds of complaints received from MetroAccess customers who reported frightening, poor, and even life threatening treatment when scheduled rides were hours late in arriving, or never arrived at all. Drivers were not adequately trained and monitored to perform their tasks, and MetroAccess systems and equipment remained woefully inadequate. The customers, each of whom is a person with at least one disability, suffered day after day and year after year.

Over the years the complaints lodged against MetroAccess have been severe. Once the systemic nature of the problems became clear, the ERC – represented by the Washington Lawyers Committee for Civil Rights & Urban Affairs (WLC) and the Washington law firm, Wiley Rein, LLP – helped complainants file a class action lawsuit in March 2004, which ultimately included more than 17,000 class members. Twelve individuals who are registered customers with MetroAccess joined the suit as individual plaintiffs.

“WMATA fought this suit for a long, long time, which is unfortunate. But the current WMATA and MetroAccess leadership are ready to work with us and systems experts who will evaluate the service and make the recommendations to be put in place over the next three years. We have already identified scores of changes that are ready for implementation, including changing the pick ups to a door-to-door system, rather than curb-to-curb,” said Rabbi Bruce E. Kahn, Executive Director of the ERC.

The recently approved settlement will lead to program-wide changes such as purchasing additional MetroAccess vehicles, hiring more operators, better training all operators to meet the needs of their

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customers, and establishing a policy task force to make recommendations to WMATA's Board of Directors on MetroAccess matters. Additionally, WMATA will compensate all of its current customers with 10 free ride vouchers, as well as two free ride vouchers to each customer who experiences late or missed service in the future.

Kahn added, "At least \$14 million will be paid by WMATA to address and correct what has gone wrong. This is absolutely extraordinary and will likely make our paratransit system the best run and monitored in the land."

"We believe that the settlement lays out a detailed, thoughtful plan to remedy the deficiencies in MetroAccess service," stated Todd Bromberg, Partner, Wiley Rein, LLP. "It was a long, hard-fought struggle to get to the settlement, but we are encouraged by the indications we have seen from WMATA management today that it understands the problems and is genuinely committed to addressing them through this settlement. We plan to work with the ERC closely to track the progress being made in the months to come but we are optimistic going into the implementation phase."

Preliminary approval of the settlement was given in November 2007, and a Fairness Hearing was held in May 2008 for the court to make a determination that the settlement is fair.

This year the Equal Rights Center is celebrating 25 years of protecting civil rights. Originally established in 1983 as the Fair Housing Council of Greater Washington, the ERC focused on educating and counseling the public on all forms of discrimination in housing. Joining with the Fair Employment Council of Greater Washington in 1999, the ERC is a private, not-for-profit, civil rights agency that is the product of mergers with the Fair Employment Council of Greater Washington in 1999 and the Disability Rights Council in 2005. The ERC 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 please go to www.equalrightscenter.org or call the Equal Rights Center at 202.234.3062.

The Washington Lawyers' Committee for Civil Rights and 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.

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 or call 202-719-3157.

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