

# UPDATE

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FOR CIVIL RIGHTS AND URBAN AFFAIRS

SPRING 2003



Photo credit: Chris Buonocore, Morgan Lewis, Applications Support Group

*Committee Fair Housing Project Director Reed N. Colfax, at podium, announces filings of Myrtle Beach race discrimination cases at May 20 press conference. Front row L/R: Plaintiffs Craig Williams; Washica Little; Michael Little; and the Reverend H. H. Singleton, President of NAACP Conway, SC Branch. Back row: Attorney Paul Hurst, Steptoe & Johnson.*

## *Myrtle Beach Race Discrimination Cases Filed*

On May 20, 2003, the Washington Lawyers' Committee along with six law firms filed complaints alleging widespread race discrimination in Myrtle Beach, South Carolina, by restaurants, a hotel, and the police during an annual event attended primarily by African Americans. Each year in May, two large motorcycle rallies are held in the Myrtle Beach area. In mid-May, hundreds of thousands of predominately white Harley Davidson riders come to Myrtle Beach for "Harley Week." The Myrtle Beach government, business, and community leaders welcome the Harley riders with promotions, specials, and discounts to encourage attendance during Harley Week. A week later over the Memorial Day Weekend, a similar number of black motorcyclists attend a similar Black Bike Week rally in the Myrtle Beach area. Restaurants with "Welcome Bikers" signs out

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## *Former Residents Sue Winarsky, Sky Properties*

In March 2003, the Fair Housing Project filed *Dalle, et al. v. Winarsky*, a Fair Housing Act case against Winarsky and Sky Properties, in the federal district court for the District of Maryland.

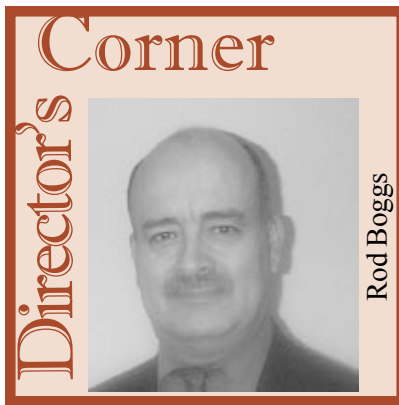
The case involves three African-American former residents of an apartment building in Takoma Park owned and managed by Lewis Winarsky of Sky Properties. The complaint filed with the Equal Rights Center asserts that when Winarsky bought their building every unit was occupied by blacks, but that within months Winarsky had evicted all of the blacks except one and released the apartments to whites. The one remaining black lived in a downstairs unit accessible only through a side-door entrance.

When asked why he evicted all the blacks, Winarsky stated that they were late in their

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The publication of this *Update* coincides with the celebration of the Washington Lawyers' Committee's 35th Anniversary. It thus provides a good opportunity to reflect on the Committee's evolving mission and some of the individuals who were present at the Committee's creation.

No two individuals deserve more recognition for their contributions than Judge Louis F. Oberdorfer and John Nolan. It was Judge Oberdorfer's inspired vision in 1968, while a partner at Wilmer, Cutler & Pickering and Co-Chair of the National Lawyers' Committee for Civil Rights, that led to the formation of the Washington Committee. The Washington Committee was to be part of a national effort to mobilize leading lawyers in urban centers across the country to address issues of racial discrimination that had been identified as causes of the civil unrest that had erupted in cities throughout the nation during the mid-1960's.

The Washington Committee was especially fortunate that Judge Oberdorfer chose John Nolan, a partner at Steptoe &

Johnson and former colleague at the Justice Department, to serve as our Committee's first Chair. John's outstanding leadership brought together the distinguished group of bar leaders and law firms that to this day are among the Committee's greatest assets. This initial group of founders defined the Committee's mission to encompass not just issues of race, but also poverty and other forms of discrimination.

This issue of the *Update* illustrates both the breadth and depth of the Committee programs that the founders' vision has produced. Of particular note are the combined efforts of Steptoe & Johnson; Morgan, Lewis & Bockius; and Patton, Boggs to join the NAACP in a series of cases challenging discrimination faced by African-American motorcyclists in Myrtle Beach, South Carolina. The Myrtle Beach cases illustrate the Committee's special ability to supplement the resources of small firms to level the playing field for plaintiffs in large, complex civil rights cases.

The growing scope of the Committee's work is also seen in the decision of three new firms—Winston & Strawn; Bracewell & Patterson; and Mayer, Brown, Rowe & Maw—to work with local D.C. public schools as part of the Committee's Law Firm Partnership Program. The tutoring, mentoring, and other services now provided by hundreds of Committee volunteers to children at 38 local schools is greatly strengthened by the support that a

number of firms, such as Sidley & Austin and Kirkland & Ellis, are providing to Parents United for the D.C. Public Schools.

As the Committee prepares to celebrate its 35th Anniversary, we wish to thank all of the firms and individual volunteers who have contributed so much to our organization's programs over the years. We invite all who share our goals to join us in the work that remains to be done.

## Contributors

Nearly 100 firms and over 300 individuals contributed to the Washington Lawyers' Committee's 2002 funding drive. In addition, the Committee thanks the following corporations, foundations and other organizations for their contributions and commitments:

- Black Entertainment Television, Inc.
- The Morris and Gwendolyn Cafritz Foundation
- Chartered Health Plan, Inc.
- D.C. Bar Foundation
- Fannie Mae Foundation
- Freddie Mac Foundation
- Georgetown University Law Center – Women's Law and Public Policy Fellowship Program
- Kiplinger Foundation
- Anthony Lucas-Spindletop Foundation
- George Preston Marshall Foundation
- The Network of Educators on the Americas, Inc.
- Public Welfare Foundation
- Reich Family Foundation
- The Washington Post
- George Wasserman Family Foundation

# Equal Employment Opportunity

## *Utility Sued for Racial Discrimination*

In February 2003, the Washington Lawyers' Committee, filed a lawsuit in the Circuit Court for Montgomery County on behalf of Paul Fenwick, alleging that Southern Maryland Electric Cooperative (SMECO) subjected him to racial harassment, disparate treatment and retaliation under Title VII and Section 1981.

The complaint alleges that Paul Fenwick, a long-term employee of SMECO, for years toiled in a racially hostile atmosphere where racial epithets and threatening conduct toward African-American employees were commonplace. For many years, the human resources department and management ignored his discrimination complaints. Eventually, Mr. Fenwick was terminated. Mr. Fenwick was ordered reinstated through union arbitration. However, he was discriminatorily transferred to a remote company location in an effort to force his resignation, and denied transfers into positions for which he has the greatest seniority.

Co-counsel in the case is **Steptoe & Johnson**.

## *Church Employee Files Sexual Harassment Suit*

The Committee and **Shearman & Sterling** recently filed a lawsuit on behalf of a former music director of a Lutheran church in Maryland who was sexually harassed and retaliated against by her employer. The defendants filed a motion to dismiss contending that the First Amendment immunizes the church and its officials from liability under anti-discrimination laws.

The motion raised an issue of first impression under Maryland law – whether sexual harassment and related tort claims brought by church employees are cognizable, notwithstanding the First Amendment's protection of church autonomy and prohibitions on excessive entanglement. The Committee, along with **Shearman & Sterling**, filed an opposition to the brief, and a hearing on the motion took place on March 10. The judge denied defendants' motion to dismiss as to the majority of the plaintiff's most important claims, including sexual harassment and intentional infliction of emotional distress. The parties have exchanged written discovery, and are in the process of taking depositions.

## *Library of Congress Sexual Harassment Case Settles*

The Washington Lawyers' Committee, along with **Miller & Chevalier**, recently settled a sexual harassment and retaliatory constructive discharge case on behalf of a uniformed officer in the Library of Congress Police Department who was forced to resign under a threat of immediate termination. The order to resign or be fired followed on the heels of the officer's attempts to stop the sexual harassment, which included hostile and lewd comments and requests for sexual favors that she and other female officers endured at the hands of her direct supervisor.

The parties settled the matter soon after the complaint was filed. The officer will receive a payment of \$120,000, and was reinstated to her position with full seniority and accrued benefits.

# Fair Housing



*L/R: Vera Lee Liban, Executive Director, Equal Rights Center; Peto Igbukolu, client; Emille Dalle, client; Joseph Ngangum, client; Reed N. Colfax, Fair Housing Project Director, Washington Lawyers' Committee.*

*Sky Properties (continued from page 1)*

rental payments and that he had to do major repairs to the building. The residents, however, had not been late in their rental payments and Winarsky did no real repairs before he rented the apartment to whites.

## *Court Finds D.C. Zoning Ordinance Discriminatory*

In September 2001, five formerly homeless men with mental disabilities moved into a single-family residential home in Northwest D.C., owned by the Community Housing Trust (“CHT”) and the Community Council for the

Homeless at Friendship Place (“CCHFP”). The move-in occurred despite extensive opposition by some other residents of the neighborhood and the D.C. Zoning Administrator’s decision to require the home to obtain a certificate of occupancy. When the men moved into the home, the District of Columbia Department of Consumer and Regulatory Affairs (“DCRA”) ticketed CCHFP for allowing the home to be occupied without a certificate of occupancy.

In October 2001, the Fair Housing Project and co-counsel **Shaw Pittman** filed suit under the Fair Housing Act on behalf of CHT and CCHFP alleging that DCRA and the Zoning Adminis-

trator required the certificate of occupancy and ticketed the home because it was occupied by persons with disabilities. In April 2003, the federal district court for the District of Columbia granted Plaintiffs’ Motion for Summary Judgment, finding that the challenged zoning ordinance was facially discriminatory and discriminatorily applied to Plaintiffs because of the disabilities of the residents.

## *Developer Sued For Discriminating Against Families With Children*

On February 13, 2003, the Fair Housing Project, along with co-counsel **Gibson, Dunn & Crutcher**, filed a housing discrimination complaint in the federal district court for the District of Columbia on behalf of Veralee Liban. Ms. Liban and her family sought to purchase a home in the Greenwich Park development in Hagerstown, Maryland, being built by the Churchey Group. Ms. Liban was told by the Churchey Group’s on-site agent that the development was designed for “empty nesters” and that the “vision” for the development was a community for retired persons and seniors whose

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## Disability Rights

### *Deaf Patient, Refused Vision Care, Awarded Damages*

In April 2001, the Disability Rights Project, with co-counsel **Hunton & Williams**, filed a complaint on behalf of Garth Alexander and the Disability Rights Council of Greater Washington (DRC) against United Optical in the U.S. District Court for the District of Columbia. The complaint alleged that Mr. Alexander, who is deaf, asked his wife, who is hearing, to call and make an appointment for him with the vision care services office covered by his health insurance. When his wife called, she was informed that her husband could not be seen because of his deafness. The staff explained that deaf patients take too long, and upon request put the refusal in writing.

In November 2002, after a two-day trial before Judge James Robertson, a jury awarded Mr. Alexander \$19,119 in damages. Judge Robertson determined that the co-plaintiff DRC had standing to seek injunctive relief in the matter. The Judge declined, however, to issue an injunction, based on his finding that there was no actual and immediate threat that DRC members would experience this discrimination at the hands of United Optical again.

### *Family Dollar Stores Settle Accessibility Claims*

The Disability Rights Project, with co-counsel **McDermott, Will & Emery**, successfully negotiated a settlement agreement with Family Dollar Stores (FDS), a discount retailer, in the District of Columbia in March 2003 on behalf of shoppers who are blind or use wheelchairs. Through this settlement, FDS will commit to changes in over 4,000 stores of its fast-growing chain, which adds hundreds more stores annually.

The settlement includes important requirements, as well as payment of damages and attorney fees. The requirements include conducting an accessibility survey and removing exterior barriers; removing structural barriers, and changes in site development procedures. As FDS is adding over 500 new stores this year alone, this could have a big impact on accessibility in hundreds of strip malls yearly. In addition, FDS will maintain accessible fixture spacing in regional stores, with a goal of such spacing in nonregional stores; establish standards and

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### *Wheelchair-Bound Shopper, Stranded During Evacuation, Sues Marshalls, Mall*



*Katie Savage before the stairs that prevented her evacuation from City Place Mall.*

The Disability Rights Project, with co-counsel **Hogan & Hartson**, filed a complaint on February 27, 2003, in the Circuit Court for Montgomery County on

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### *Deaf Patient Sues Hospital for Lack of Interpreter Services*

The Disability Rights Council of Greater Washington (DRC) and a deaf patient, Garth Alexander, filed suit on January 3,

*continued on page 10*

## Public Accommodations

*Myrtle Beach (continued from page 1)*

front during Harley Week close during the entire Memorial Day weekend while the black bikers are in town. The police implement highly restrictive traffic plans that almost entirely prevent vehicular travel in Myrtle Beach during Black Bike Week. The Yachtsman Hotel requires Black Bike Week guests to sign a 34-rule contract with unique rules that are not in place at any other time of the year.

**Morgan Lewis & Bockius** is acting as lead counsel in the complaints against the Myrtle Beach restaurants that close over Memorial Day weekend to Black Bike Week attendees, who are predominantly black. The complaints against the restaurants, which include national chains such as Denny's, Red Lobster, Damon's, the House of Blues, and others, have been filed as class actions on behalf of all persons who sought or attempted to get a meal at one of the restaurants but found the restaurants closed during their normal business hours. Some of the restaurants openly state that they close so they do not have to serve the Black Bike Week crowd. Others coincidentally have unusual circumstances occur at the restaurant year after year each Black Bike Week such as a kitchen

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### *Patron Sues Red Roof Inns*

When Ramice Capehart, an African-American resident of Georgia, attempted to rent a hotel room in a Red Roof Inn in Tallahassee, Florida, the manager of the hotel stated that he would not accept her check, even though the

hotel maintained a policy of accepting checks from persons whom, like Ms. Capehart, had the company's RediCard. When her check was refused, Ms. Capehart offered to pay in cash. The manager responded that she could not stay in the hotel.

In January, the Committee along with co-counsel **Holland & Knight** filed a lawsuit against Red Roof Inns in the U.S. District Court for the Middle District of Florida on behalf of Ms. Capehart. The suit alleges racial discrimination in violation of the Civil Rights Act of 1866. Discovery in the case has begun.

### *Taxicab Discrimination*

In April 2001, Bryan Greene, an official in the Fair Housing Section of the Department of Housing and Urban Development, filed a complaint against Your Way Taxicab whose driver refused to pick Mr. Greene up from a hotel near his work. Mr. Greene had gone to his office near L'Enfant Plaza to work on a speech about Fair Housing Month. When he had finished his work, he went to a neighboring hotel where he had found it somewhat easier in the past to

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## Immigrant and Refugee Rights

### *Policy Denying Car Loan to Permanent Resident Investigated*

In July 2001, Emil Ivanov, a permanent resident of the United States originally from Bulgaria, sought a car refinance loan from Pathfinder Credit Union. Pathfinder refused to provide a loan to Mr. Ivanov pursuant to an official Pathfinder policy of not extending credit to non-citizens.

Believing that the policy violated Section 1981, the Immigrant and Refugee Rights and Fair Housing Projects jointly investigated the matter and achieved a settlement for the client.

### *Complaint Cites Differential Treatment of Latinos Seeking Housing*

When the Equal Rights Center (ERC) received a complaint that Latinos were unable to rent or purchase apartments at the Spirit of W Cooperative in D.C., it sent out white and Latino testers seeking information regarding availability of units at the building. The testers were subjected to differential treatment, including some of the white testers being told that units were available and

encouraged to apply while Latino testers arriving on the same day were told that no units were available.

The Fair Housing Project, in cooperation with the Immigrant and Refugee Rights Project, filed an administrative complaint with the District of Columbia Office of Human Rights (DCOHR) on behalf of the ERC in February 2003. The DCOHR has begun its investigation of the matter.

### *Cleaning Company Settles Latina Janitor's Claim*

The Committee reached a favorable settlement recently in proceedings before the Equal Employment Opportunity Commission on behalf of a Latina janitor, Ms. Rosa Bonilla, who had suffered severe harassment at the hands of a supervisor at Centennial One, Inc., the large cleaning company where she worked in suburban Maryland. After Ms. Bonilla, an immigrant from El Salvador, succeeded in forcing the company to dismiss the harassing supervisor, she faced reprisals ending with her termination in July 2002.

The EEO Project, working jointly with the Immigrant and Refugee Rights Project and the law firm of **Heller, Huron, Chertkof,**

**Lerner, Simon & Salzman,** filed a charge of discrimination with the EEOC on Ms. Bonilla's behalf in October 2002. The settlement, reached in April 2003, will result in a payment of more than \$30,000 to Ms. Bonilla. The settlement also provided for payment of attorney fees.

### *Participating Firms Aid Juveniles Seeking Refuge in United States*

Several law firms have worked over the past year with the Immigrant and Refugee Rights Project on eight cases involving juveniles. The juveniles are seeking refuge in the United States from war, persecution, and violence in their home countries. The firms, including **King & Spaulding; Steptoe & Johnson; Swidler Berlin Shereff Friedman; and Weil, Gotshal & Manges,** have assisted juveniles from Cameroon, El Salvador, and Sierra Leone seeking political asylum and related relief. The cases have involved such challenging legal theories as imputed political opinion and the existence of a particular social group encompassing youth affected by gang violence.

In addition, **Patton Boggs** has recently worked on

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# Public Education

## *Myth & Reality Report*

The Washington Lawyers' Committee recently released a report entitled: "D.C. Public School Funding: Myth & Reality." The report was prepared for Parents United for the D.C. Public Schools and a special Advisory Committee of Civic Leaders by the Washington Lawyers' Committee and volunteers at the law firm of **Sidley, Austin, Brown and Wood**.

The Advisory Committee members were Maudine R. Cooper, President of the Greater Washington Urban League; Ronald S. Flagg, partner at **Sidley, Austin, Brown and Wood**; James O. Gibson, Senior Fellow at the Center for the Study of Social Policy; James W. Jones, a Director of Hildebrandt International, a management consulting firm for the legal industry; and Richard W. Snowdon, III, partner with the law firm of **Trainum, Snowdon & Deane**.

The report focused on four principal findings: (1) an increasing and overwhelming majority of DCPS students require supplemental support based on limited English proficiency, special education needs

and economic disadvantages; (2) overall state and local funding for DCPS falls below per pupil funding of all but one of the surrounding suburban districts, and in inflation-adjusted dollars is about equal to FY 1991 per pupil funding levels; (3) DCPS spends no more and in several cases considerably less than surrounding school systems on central office functions; and (4) approximately 80% of funding increases sought for DCPS in FY 2004 are allocated to mandatory items, primarily negotiated pay increases and emergency building programs. The bulk of remaining proposed increases cover basic academic initiatives and management reforms.

## *Partnerships Benefit from On-Line Discussion Board*

Partnership coordinators now have an opportunity to communicate with one another through the School Partnership Project's newest feature—the School Partnership Internet Discussion Board. In November 2002, participating law firm coordinators and volunteers began using the Discussion Board for posting tips and news about school partnership activities. Partnerships



*School Partnership Discussion Board*

will also be using the board to seek information on upcoming Project and school-related events.

## *Committee Welcomes New Law Firm/Public School Partnerships*

The Washington Lawyers' Committee welcomed three new law firm/public school partnerships to the Public Education Legal Services Project at the April 2003 Partnership Coordinators lunch meeting held at **Akin Gump Strauss Hauer & Feld**. The law firm of **Winston & Strawn** has teamed up to provide pro bono legal work for the Kamit Institute, a public charter school in the District. **Bracewell & Patterson** has begun a new partnership with Van Ness Elementary School. **Mayer Brown Rowe & Maw** is currently planning its new tutoring and mentoring partnership with Gage Eckington Elementary School.



## Arrivals

### *New Board Members*

The Washington Lawyers' Committee recently welcomed four new members to the board of directors: James W. Jones, Ronald A. Klain, Ignacia S. Moreno, and Daniel H. Bromberg.

**James W. Jones** is a director of Hildebrandt International, a global management consulting firm to the legal industry. He has more than 30 years experience as a law firm leader, practicing lawyer, and general counsel. Among his prior positions, he served as Managing Partner of **Arnold & Porter**. He is Chairman, Board of Directors of the Pro Bono Institute, and Co-Chairman, Advisory Committee for the Community Economic Development Program of the D.C. Bar. He is also Chairman of the Board of Directors of the Eugene and Agnes E. Meyer Foundation; a member of the Board of Trustees of Trinity University in San Antonio, Texas; and a member of the Board of Directors of the Children's National Medical Center.

**Ronald A. Klain** is a partner in the Washington, D.C. office of **O'Melveny & Myers**, with a practice focused on appel-

late litigation, strategic counseling, legislative redistricting, and government relations. Prior to joining O'Melveny, he served in a number of federal government positions, including Assistant to the President, Chief of Staff and Counselor to former Vice President Al Gore; Chief of Staff and Counselor to Attorney General Janet Reno; and Associate Counsel to the President. He has also served as Chief Counsel to the U.S. Senate Committee on the Judiciary.

**Ignacia S. Moreno**, of counsel to **Spriggs & Hollingsworth**, specializes in complex civil litigation, particularly environmental and toxic tort litigation. Previously, she served in the Environment and Natural Resources Division, U.S. Department of Justice, as Principal Counsel on domestic and international environmental enforcement related to U.S. trade and investment policies. She serves on the D.C. Bar's Special Committee on Multi-Jurisdictional Practice and on the Nominations Committee. She is a past President of the Hispanic Bar Association of the District of Columbia. She has also served as the ABA's Vice-Chair for Programs, International Environmental Law Committee, Section of Environment, Energy and Resources, and as Vice-Chair of the ABA's International Envi-

ronmental Law Committee, Section of International Law & Practice.

**Daniel H. Bromberg**, a **Jones Day** trial and appellate litigator, has argued before the U.S. Supreme Court and before state and federal appellate courts. He has represented international and domestic clients in commercial disputes involving antitrust, arbitration and employment at the trial and appellate levels. He has also represented clients in suits against the federal government involving such issues as the constitutionality of federal legislation, takings, the validity of executive and administrative actions, and civil rights violations. He is a member of the Edward Coke Appellate Inn of Court and has published several articles in law journals and with the ABA.

### *Visiting Fellows*

**Emily Goldberg**, an Equal Justice Works (formerly NAPIL) Fellow sponsored by **Shearman & Sterling**, is working for one year with the EEO Project at the Washington Lawyers' Committee. She is a *summa cum laude* graduate of Tufts University. She received her J.D. from New

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*Churchey Group (continued from page 4)*

children have left home. The Churchey Group publicized its intent to sell homes only to families without children in advertisements in the *Washington Post* and on its Internet website. The advertisements for the Greenwich Park development stated in a bold title: "Gracious Homes for the Empty Nester."

Ms. Liban alleges that she was discouraged by the discriminatory advertisements for Greenwich Park but still sought to purchase one of the homes. Ms. Liban's experience with the Churchey Group agent made it clear that she would not be welcome in the development with her three children. The Churchey Group agent told Ms. Liban that her children would not be permitted to play in any of the development's common areas, stated that most of the residents would be older and without children, refused to give Ms. Liban information that she requested about the homes, and suggested that Ms. Liban look at houses built by a competitor across the street.

The lawsuit alleges that the Churchey Group's actions violate the federal Fair Housing Act and the D.C. Human Rights Act by discriminating against families with children. Both laws prohibit actions that discourage or otherwise prevent families from purchasing homes because they have children, and prohibit advertisements that express a preference against families with children.

*Family Dollar (continued from page 5)*

specific programs to rid store aisles of clutter that can make them inaccessible; create an ADA administrator position; train employees and buyers; and establish a complaint procedure and report complaints to the Disability Rights Council of Greater Washington.

*Marshalls Mall (continued from page 5)*

behalf of Katie Savage and the Disability Rights Council of Greater Washington. Ms. Savage, who uses a wheelchair, was stranded in the City Place Mall during a September 2002 emergency evacuation. The lawsuit alleges that the plaintiff was effectively imprisoned in the mall during the evacuation, and that no provision was made for safe evacuation of people with disabilities.

On the morning of the evacuation, Ms. Savage was shopping at Marshalls in the City Place Mall when a fire alarm was set off in the mall. Marshalls announced that all shoppers were required to leave the store due to an emergency, and Ms. Savage quickly made her way out of the store and into the mall interior. Panic began to spread throughout the mall as shoppers and staff fled amid rumors of a bomb. Ms. Savage, however, was trapped. Marshalls locked the gate that separated the store from the mall; the mall elevator was shut down; no emergency exits were accessible; and no one from the mall or Marshalls offered to assist in the evacuation of customers with

disabilities. As a result, Ms. Savage was forced to wait in the mall for nearly an hour, listening to alarms and sirens and fearing for her life, until an announcement finally was made that the emergency was over and that the mall would re-open.

This case is among the first nationally on the important issue of emergency evacuation of people with disabilities from retail establishments.

*Interpreter Services (continued from page 5)*

2003, in the U.S. District Court for the District of Maryland against Fort Washington Medical Center and the offices of an Oxon Hill physician. The plaintiffs ask the Court to order the hospital and doctor's offices to provide sign language interpreters to deaf patients to ensure that they understand medical communications. The complaint also requests damages for Mr. Alexander and the DRC. Co-counsel with the Committee is **Morrison & Foerster**.

The complaint alleges that in April 2002, Mr. Alexander, a patient of Dr. Othman Baban and the Washington Potency and Urology Center, had surgery at Fort Washington Medical Center. Although he requested sign language interpreter services for his pre- and post-operative medical appointments and surgery, no interpreter services were provided. As a result, Mr. Alexander did not understand the medical communications and was not able to convey his need for pain medications or understand important information about his medical treatment.

## SPRING 2003 UPDATE

*Myrtle Beach (continued from page 6)*

remodeling or a parking lot paving. Finally, some close on one of the busiest weekends of the year with no explanation.

The case against the Myrtle Beach Police is led by **Steptoe & Johnson**. This case, filed in federal court alleging violations of the Equal Protection Clause of the U.S. Constitution, alleges that the Myrtle Beach Police adopt a traffic plan that limits traffic to one-way on the primary Myrtle Beach thoroughfare and limits turns off that road in an attempt to discourage black bikers from traveling into Myrtle Beach or attending Black Bike Week at all. Any rational explanation for the traffic plan fails in light of the fact that a week earlier, during Harley Week when a similar number of white bikers are in town, the road is open to two-way traffic and turns are generally allowed off the road.

A final class of plaintiffs, whose lead counsel is **Patton Boggs**, allege that the Yachtsman Hotel severely alters the terms and conditions for guests during Black Bike Week because of the hotel management's stereotyped assumption that blacks must be subject to more restrictive rules. Black Bike Week participants have to sign a contract enumerating 34 rules and pay for their entire stay at least 30 days before their arrival. Other times of the year, eight basic rules apply and guests pay for the entire cost of the room at check-out. The Yachtsman also

maintains its highest rental rates during Black Bike Week.

Assisting in the litigation of these cases are D.C. law firms **Baach Robinson & Lewis** and **Rose & Rose** and the South Carolina law firm **Derfner Altman & Wilborn**.

*Taxi cab (continued from page 6)*

find an available taxi. As he arrived, the doorman to the hotel was assisting a customer out of a Your Way taxicab. The doorman saw Mr. Greene and attempted to hold the cab for him. However, when the driver saw Mr. Greene, who is African American, he sped away.

Mr. Greene's complaint alleged violations of the 42 U.S.C. Sec. 1981, which prohibits discrimination in the making of contracts, the District of Columbia Human Rights Act, and various common laws.

After mediation, the parties reached terms for a settlement. **Hogan and Hartson** served as co-counsel.

This case represents the latest of a series of cases involving race discrimination by taxicab drivers and companies that the Committee has handled in the greater Washington area. In recent years, the Committee and co-counsel **Crowell & Moring**; **Clifford Chance Rogers & Wells**; **Baach, Robinson & Lewis**; and **Hogan and Hartson** have brought successful taxicab

discrimination cases against Presidential Cab, Standard Cab Company, District Cab Company and Amritsar Auto Services Company.

*Juvenile refugees (continued from page 7)*

two cases involving humanitarian parole, a discretionary form of immigration relief. One case allowed a woman from the Ukraine to reunite with her teenage daughter after many years of separation. The second case allowed an infant to enter the U.S. with her mother, who was granted derivative asylum, thereby reuniting the family.

Finally, the Project continues to litigate, with **Holland & Knight**, the civil rights claims it filed against the INS and a local Virginia jail on behalf of a Guinean juvenile who has been held in INS detention centers for the last two and a half years.

*Arrivals (continued from page 9)*

York University School of Law, where she was a member of the Review of Law & Social Change and worked with the NYU School of Law Civil Rights Clinic. Before coming to the Washington Lawyers' Committee, she was a Fellow with the National Women's Law Center. She is a member of the New Jersey Bar, and her bar membership is pending in New York and the District of Columbia.

*continued on back page*

Washington Lawyers' Committee  
for Civil Rights and Urban Affairs  
**UPDATE**

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**Denise L. Gilman**, *Project Director*  
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*Public Education Legal Services Project*

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**Da'aga Hill Bowman**, *Editor*  
**Paula Jones**, *Layout*

*Arrivals (continued from page 9)*

The Committee is very fortunate to have **Dechert** attorney **Scott McBride** spending six months working on our EEO Project as a part of Dechert's loaned associate rotation program. Scott McBride is an associate in the firm's D.C. office where he works in mutual fund regulation and securities enforcement litigation. He graduated from Georgetown University with a finance degree, and from Georgetown University Law Center, where he was an author and senior editor of *Law and Policy in International Business*. He is a member of the New York and New Jersey Bars.

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