

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

**AMERICAN COUNCIL OF  
THE BLIND INC**  
2200 Wilson Blvd, Ste 650  
Arlington VA 22201-3354

&

**ERIC BRIDGES**  
3105 14th St South  
Arlington VA 22204

**Plaintiffs,**

v.

**GRAND CAB COMPANY**  
3001 Earl Place NE  
Washington DC 20018

**ELITE CAB ASSOCIATION**  
45 Q St SW  
Washington DC 20001

**YELLOW CAB COMPANY OF DC INC**  
1636 Bladensburg Road NE  
Washington DC 20002

&

**PLEASANT TAXI CLUB LLC**  
811 Upshur St NW  
Washington DC 20011

**Defendants.**

**Civil Action No.:**

**COMPLAINT FOR DECLARATORY JUDGMENT,  
INJUNCTIVE RELIEF, AND MONETARY DAMAGES**

**NATURE OF ACTION**

1. This is a complaint against taxicab companies in the District of Columbia for their discriminatory failures to haul blind individuals accompanied by service animals.

Plaintiffs have been subjected to discriminatory taxicab service on the basis of a disability. They seek to redress the injuries they have suffered, continue to suffer, and will suffer in the future as a result of this discrimination.

### **JURISDICTION**

2. Jurisdiction rests with this court under D.C. Code § 11-921.

### **PARTIES**

3. Plaintiff Eric Bridges is a resident of Virginia who works in Washington, DC. He is blind, and relies on his guide dog, General.
4. Plaintiff American Council of the Blind (“ACB”) is a non-profit corporation organized under the laws of the District of Columbia and headquartered in Arlington, Virginia. It is an advocacy group dedicated to protecting the rights of people with visual impairments. ACB brings this action on behalf of Mr. Bridges, a member who has been injured by the discriminatory practices alleged in this Complaint, as well as on behalf of all of its other members who have been and will be subject to the same discriminatory practices.
5. Defendant Grand Cab Company (“Grand Cab”) is a taxicab company operating in DC. Upon information and belief, it has approximately 580 cab drivers operating under its livery.
6. Defendant Elite Cab Association (“Elite Cab”) is a taxicab company operating in DC. Upon information and belief, it has approximately 110 cab drivers operating under its livery.
7. Defendant Pleasant Taxi Club LLC (“Pleasant Taxi”) is a taxicab company operating in DC. Upon information and belief, it has approximately 30 cab drivers operating under its livery.

8. Defendant Yellow Cab Company of DC Inc. (“Yellow Cab”) is a taxicab company operating in DC. Upon information and belief, it has approximately 500 cab drivers operating under its livery.
9. Defendants Grand Cab, Elite Cab, Pleasant Taxi, and Yellow Cab (collectively, the “Cab Company Defendants”) are common carriers and provide a service that qualifies as a place of public accommodation within the meaning of the DC Human Rights Act, D.C. Code §§ 1-2501 *et seq.*

### **FACTUAL ALLEGATIONS**

#### **Systemic Discrimination**

10. Taxicab drivers in DC frequently refuse to haul for blind individuals and individuals with service animals. The incidents alleged in this Complaint involving Mr. Bridges are only a few examples of the systemic discrimination regularly experienced by blind individuals with service animals in DC.
11. The Cab Company Defendants have all contributed to this systemic discrimination by engaging in, and allowing their drivers to engage in, a pattern and practice of discrimination.
12. People with visual impairments are a uniquely vulnerable class when it comes to discrimination by taxicab drivers who refuse to stop; other classes of people are able to identify the discrimination as it occurs and report it personally.
13. Upon information and belief, the four Cab Company Defendants collectively account for about 1,200 of the approximately 6,500 operating cabs in DC, or almost a one-fifth of the cabs on the streets of DC.
14. The DC Taxicab Commission (“DCTC”) has conducted a series of anonymous tests to determine whether drivers are engaging in discriminatory practices against blind

individuals and/or individuals with service animals, including tests conducted in the summer of 2014. The 2014 testing revealed a significant number of incidents in which cabs refused to pick up blind individuals with service animals.

15. The Equal Rights Center (“ERC”) completed a study in 2010 of taxicab hauling practices for blind individuals. The Equal Rights Center, *No Dogs Allowed: Discrimination by D.C. Taxicabs against People who use Service Dogs* (2010), [http://www.equalrightscenter.org/site/DocServer/Taxicab\\_Report.pdf?docID=242](http://www.equalrightscenter.org/site/DocServer/Taxicab_Report.pdf?docID=242).
16. The report included videotaped testing of blind individuals with service dogs hailing a cab on the street, with a similar individual approximately 100 feet down the street – with no dog – hailing a cab as well. *Id.* at 15.
17. The ERC report concluded that there is a 50% rate of refusal of service for blind individuals with service dogs in DC. *Id.* at 16.
18. The ERC report further concluded that this discriminatory conduct requires a three-pronged response: periodic testing to ensure compliance by drivers, training of drivers and certifications that they will comply with the law, and enforcement of penalties against drivers and their taxicab companies for violations. *Id.* at 17-19.

#### **2013 WUSA Channel 9 Report**

19. Mr. Bridges frequently travels by taxicab in DC for business and personal travel, accompanied by General. For many of these trips, Mr. Bridges uses a “street hail” to find a cab to transport him, as opposed to a dispatch service.
20. Mr. Bridges frequently experiences discrimination when taxicabs refuse to pull over in response to his street hails, including discrimination by drivers associated with each of the Cab Company Defendants.

21. In 2013, Mr. Bridges worked with reporters from the WUSA9 news station to demonstrate the discrimination that he routinely faces in attempting to hail a cab in DC, leading to a televised news report on this discrimination.
22. That report confirmed the ongoing, systemic discrimination against blind individuals with service animals. It found a 48% rate of discriminatory practices against blind individuals with service animals.
23. On April 30, 2013, WUSA9 filmed Mr. Bridges, with his service animal, attempting to hail cabs at different locations in DC. A sighted reporter without a service animal stood a short distance down the road from Mr. Bridges at each of the locations and also attempted to hail the same cabs.
24. During the filming of this report, at least four taxicabs that were available for hire failed to stop for Mr. Bridges and General, and instead stopped for the sighted reporter a short distance down the road.
25. Upon information and belief, none of the four taxi drivers who failed to stop for Mr. Bridges in the incidents described in this Complaint has medical exceptions on file with the DCTC or any other valid documentation that would allow him to refuse to haul an individual with a service animal.

#### Grand Cab Incident

26. On April 30, 2013, Mr. Bridges and General were standing on the street curb at the 600 block of Pennsylvania Ave, NW, attempting to hail a cab.
27. Mr. Bridges was a short distance from a street corner, standing next to the start of a “No Parking” zone that extended to the corner, and which contained no parked cars in front of or adjacent to him.

28. Russ Ptacek, a reporter with WUSA9 who is sighted and had no service dog, was standing approximately 250 feet down the street, on the same side, also attempting to hail a cab.
29. At approximately 3:40 p.m., Grand Cab 273 was travelling toward Mr. Bridges on Pennsylvania Avenue, was available for hire, and could safely stop to pick up Mr. Bridges and General.
30. Grand Cab 273 passed Mr. Bridges and instead stopped to pick up Mr. Ptacek. *See Exhibit 1, Grand Cab 273 Passing Mr. Bridges.*
31. Upon information and belief, Grand Cab 273 did not pick up Mr. Bridges because he is blind and was accompanied by a service animal.

#### Elite Cab Incident

32. On April 30, 2013, Mr. Bridges and General were standing on the street curb of Constitution Avenue, outside the National Gallery of Art, attempting to hail a cab.
33. Mr. Bridges was standing approximately two car-lengths from the drive-up entrance to the National Gallery of Art, a one-lane loop coming off of Constitution Avenue.
34. Mr. Ptacek was standing on the other side of the one-lane entrance, with no dog, and attempting to hail a cab.
35. At approximately 4:00 p.m., Elite Cab 15 was travelling toward Mr. Bridges on Constitution Avenue, was available for hire, and could safely stop to pick up Mr. Bridges and General.
36. Due to a red traffic light, Elite Cab 15 was forced to stop directly in front of Mr. Bridges, who was still hailing a cab, but the driver did not alert Mr. Bridges to his presence or

otherwise make the cab available to Mr. Bridges. *See* Exhibit 2, Elite Cab 15 Passing Mr. Bridges.

37. After the traffic light turned green, Elite Cab 15 and its driver chose to cross the entrance to the National Gallery of Art and stop for Mr. Ptacek, rather than transport Mr. Bridges and General.
38. Upon information and belief, Elite Cab 15 did not pick up Mr. Bridges because Mr. Bridges is blind and was accompanied by a service animal.

#### Yellow Cab Incident

39. On April 30, 2013, Mr. Bridges and General stood on the street curb of Constitution Avenue, outside the National Gallery of Art, attempting to hail a cab.
40. Mr. Bridges was standing approximately two car-lengths from the drive-up entrance to the National Gallery of Art, a one-lane loop coming off of Constitution Avenue.
41. Mr. Ptacek was standing on the other side of the one-lane entrance, with no dog, and attempting to hail a cab.
42. At approximately 4:00 p.m., Yellow Cab 611 was travelling toward Mr. Bridges on Constitution Avenue, was available for hire, and could safely stop to pick up Mr. Bridges and General.
43. Yellow Cab 611 passed Mr. Bridges and instead stopped to pick up Mr. Ptacek. *See* Exhibit 3, Yellow Cab 611 Passing Mr. Bridges.
44. Upon information and belief, Yellow Cab 611 did not pick up Mr. Bridges because Mr. Bridges is blind and was accompanied by a service animal.

#### Pleasant Taxi Incident

45. On April 30, 2013, Mr. Bridges and General were standing on the street curb at the 600 block of Pennsylvania Ave, NW, attempting to hail a cab.
46. Mr. Bridges was a short distance from a street corner, standing next to the start of a “No Parking” zone that extended to the corner, and which contained no parked cars in front of or adjacent to him.
47. Mr. Ptacek was standing approximately 250 feet down the street, on the same side, with no dog, also attempting to hail a cab.
48. At approximately 4:45 p.m., Pleasant Cab 31 was travelling toward Mr. Bridges on Pennsylvania Avenue, was available for hire, and could safely stop to pick up Mr. Bridges and General.
49. Pleasant Cab 31 did not pick up Mr. Bridges and instead stopped to pick up Mr. Ptacek. *See Exhibit 4, Pleasant Cab 31 Passing Mr. Bridges.*
50. Upon information and belief, Pleasant Cab 31 did not pick up Mr. Bridges because he is blind and was accompanied by a service animal.

#### **Office of Human Rights Complaints**

51. On March 27, 2014, Mr. Bridges timely lodged complaints with the DC Office of Human Rights, alleging that all four incidents were violations of the DC Human Rights Act.
52. After mediation was unsuccessful, Mr. Bridges withdrew those complaints on March 10, 2015.

#### **COUNT 1** **(TITLE III OF AMERICANS WITH DISABILITIES ACT)**

53. Plaintiffs incorporate as if fully rewritten herein the allegations in paragraphs 1-52.
54. Title III of the Americans with Disabilities Act (“ADA”) provides that no individual shall be discriminated against on the basis of a disability such as blindness “in the full and



equal enjoyment of specified public transportation services provided by a private entity that is primarily engaged in the business of transporting people and whose operations affect commerce.” 42 U.S.C. § 12184(a).

55. The Cab Company Defendants are private entities engaged in the business of transporting people and whose operations affect commerce.
56. The Cab Company Defendants have denied Plaintiffs the full and equal enjoyment of their specified public transportation services.
57. The Cab Company Defendants have failed to make reasonable modifications in their policies, practices, or procedures that are necessary to afford their specified public transportation services to blind individuals and individuals with service animals, including Plaintiffs.
58. As a direct and proximate cause of the Cab Company Defendants’ discriminatory actions Plaintiffs have suffered and will continue to suffer actual damages from the inconvenience, humiliation, embarrassment, diminished enjoyment of life, economic loss, and other injuries caused by the refusal to offer them equal enjoyment of public accommodations.
59. The discriminatory actions have been taken with ill will, recklessness, wantonness, oppressiveness, and willful disregard of Plaintiffs’ rights, justifying an award of punitive damages.

**COUNT 2**  
**(DC HUMAN RIGHTS ACT -- DISCRIMINATION BASED ON A DISABILITY)**

60. Plaintiffs incorporate as if fully rewritten herein the allegations in paragraphs 1-59.
61. The DC Human Rights Act prohibits the direct or indirect denial to any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and

accommodations of any place of public accommodations on the basis of a disability such as blindness. D.C. Code § 2-1402.31

62. Taxicab services are a place of public accommodation under the D.C. Human Rights Act.
63. At the time of the discriminatory acts, each taxicab at issue bore the name and color scheme of one of the Cab Company Defendants.
64. At the time of the discriminatory acts, each taxicab at issue was approved and authorized to use the name and color scheme of one of the Cab Company Defendants.
65. Under DC law, the Cab Company Defendants are vicariously liable for the actions and injuries to passengers and potential passengers caused by their drivers while those drivers are authorized and operating under the company name and colors.
66. Under 31 DCMR § 517.1, the Cab Company Defendants are responsible for the conduct of all their “employees, affiliates, contractors, and agents,” including the discriminatory actions of their drivers.
67. The Cab Company Defendants have denied Plaintiffs the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of taxicab services in the District of Columbia for a discriminatory reason on account of a disability: blindness.
68. As a direct and proximate cause of the Cab Company Defendants’ discriminatory actions Plaintiffs have suffered and will continue to suffer actual damages from the inconvenience, humiliation, embarrassment, diminished enjoyment of life, economic loss, and other injuries caused by the refusal to offer them equal enjoyment of public accommodations.

69. The discriminatory actions have been taken with ill will, recklessness, wantonness, oppressiveness, and willful disregard of Plaintiffs' rights, justifying an award of punitive damages.

**COUNT 3**

**(DC HUMAN RIGHTS ACT – AIDING AND ABETTING A DISCRIMINATORY ACT)**

70. Plaintiffs incorporate as if fully rewritten herein the allegations in paragraphs 1-69.

71. The Cab Company Defendants have – or have attempted to – aid, abet, invite, compel, or coerce the discriminatory actions of their drivers, in violation of D.C. Code § 2-1402.62.

72. The Cab Company Defendants have implicitly and explicitly approved the practice of drivers who refuse to transport blind individuals and service animals through their policies, practices, and patterns of association with those drivers.

73. As a direct and proximate cause of the Cab Company Defendants' implicit and explicit approval of these discriminatory practices, Plaintiffs have suffered and will continue to suffer actual damages from the inconvenience, humiliation, embarrassment, diminished enjoyment of life, economic loss, and other injuries caused by the refusal to offer them equal enjoyment of public accommodations.

74. The discriminatory actions have been taken with ill will, recklessness, wantonness, oppressiveness, and willful disregard of Plaintiffs' rights, justifying an award of punitive damages.

**COUNT 4**

**(NEGLIGENT ENTRUSTMENT, SUPERVISION, AND ASSIGNMENT)**

75. Plaintiffs incorporate as if fully rewritten herein the allegations in paragraphs 1-74.

76. The Cab Company Defendants have a duty to supervise the conduct of all their drivers, employees, affiliates, contractors, and agents.

77. The Cab Company Defendants carelessly and negligently failed to train, instruct, and supervise their drivers, employees, affiliates, contractors, and agents concerning the statutory, common law, and regulatory prohibitions against discrimination on the basis of disability and, in particular, against discrimination against individuals with service animals.
78. The Cab Company Defendants knew or should have known that their drivers, employees, affiliates, contractors, and agents engaged in discriminatory pickup practices related to individuals with sight disabilities.
79. The Cab Company Defendants knew or should have known that their drivers, employees, affiliates, contractors, and agents engaged in discriminatory pickup practices related to individuals with service animals.
80. The Cab Company Defendants knew or should have known that their negligence would cause or contribute to the discriminatory actions of their drivers, employees, affiliates, contractors, and agents.
81. As a direct and proximate result of the negligence of the Cab Company Defendants, Plaintiffs have suffered actual damages and will continue to suffer damages from the inconvenience, humiliation, embarrassment, diminished enjoyment of life, economic loss, and other injuries caused by the Defendants' refusal to offer them service.
82. The discriminatory actions have been taken with ill will, recklessness, wantonness, oppressiveness, and willful disregard of Plaintiffs' rights, justifying an award of punitive damages.

**COUNT 5**  
**(NEGLIGENCE PER SE)**

83. Plaintiffs incorporate as if fully rewritten herein the allegations in paragraphs 1-82.

84. The Cab Company Defendants have a duty to ensure their drivers, affiliates, agents, contractors, and employees follow the law and comply with the DC Taxicab Regulations under 31 DCMR § 517.
85. The Cab Company Defendants' drivers, affiliates, agents, contractors, and employees have violated 31 DCMR § 508, which states that discriminatory conduct includes "[n]ot picking up ... an individual with a service animal" and that "[d]iscrimination based on a disability may include refusing to assist in the transportation of a person using a Service Animal or Comfort Animal because of an undocumented personal allergic reaction to animals or potential allergic reactions of future customers."
86. Title 31, Chapter 5 of the DC Municipal Regulations is designed to protect potential customers of taxicab services from discrimination on the basis of a disability such as blindness or on the basis of employing a service animal.
87. The Cab Company Defendants and their drivers, affiliates, agents, contractors, and employees have refused to transport Mr. Bridges on the basis of a disability and for employing a service animal.
88. As a direct and proximate result of the negligence of the Cab Company Defendants, Plaintiffs have suffered actual damages and will continue to suffer damages from the inconvenience, humiliation, embarrassment, diminished enjoyment of life, economic loss, and other injuries caused by the Defendants' refusal to offer them service.
89. The discriminatory actions have been taken with ill will, recklessness, wantonness, oppressiveness, and willful disregard of Plaintiffs' rights, justifying an award of punitive damages.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray that this Court enter judgment for the Plaintiffs:

- a. Granting Plaintiffs a declaratory judgment that the acts, policies, and practices of the Cab Company Defendants complained of herein violate the rights protected by, among other things, D.C. Code § 2-1402.31 and 31 DCMR § 508.
- b. Granting Plaintiffs a permanent injunction enjoining the Cab Company Defendants and their drivers, affiliates, agents, contractors, and employees from discriminating against individuals with blindness or employing a service animal generally, and requiring them to provide taxicab service on an equal basis.
- c. Granting Plaintiffs a permanent injunction ordering the Cab Company Defendants to jointly and severally fund a trust for the purpose of testing and driver training to ensure compliance with this judgment with the ACB as trustee, in the amount of \$60,000 annually.
- d. Granting Plaintiffs judgment against the Cab Company Defendants, jointly and severally, for compensatory damages in an amount appropriate to proof at trial.
- e. Granting Plaintiffs judgment against the Cab Company Defendants, jointly and severally, for punitive damages in an amount appropriate to proof at trial.
- f. Awarding Plaintiffs reasonable costs and expenses herein.
- g. Awarding Plaintiffs reasonable attorneys' fees.
- h. Granting Plaintiffs such other and future affirmative relief as this Court may deem just and proper.

### **JURY DEMAND**

Plaintiffs demand a trial by jury on all counts set forth herein.

Dated: March 16, 2015

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Respectfully submitted,



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