



February 7, 2001

Los Angeles County
Metropolitan
Transportation
Authority

TO: BOARD OF DIRECTORS

FROM: THOMAS CONNER *Thomas Conner*
EXECUTIVE OFFICER, TRANSIT OPERATIONS

**SUBJECT: LEGAL SETTLEMENT: ACLU vs. LACMTA (ADA
LAWSUIT) TO BE PAID FROM BOARD CONTINGENCY
FUNDS**

One Gateway Plaza
Los Angeles, CA
90012

213.922.6000

ISSUE

The LACMTA Transit Operations department will require Board contingency funds to pay for the ACLU legal fees as mandated by the federal court on January 10, 2001 and approved by the Board in August 2000. The funding of \$562,843.44 to pay the ACLU legal fees will be transferred from the Board's current adopted contingency budget as this cost was unanticipated in terms of when it would be ordered by the Court. The actual payment took place in January of this year in order to meet the federal court's mandate.

BACKGROUND

The ACLU filed a lawsuit in federal court in 1998 on behalf of its mobility-impaired clients. A federal judge issued an injunction with mandates against the LACMTA related to services provided to the mobility impaired. The injunction was modified by the Court of Appeals but continued in effect. A full trial could have extended and even strengthened the restrictions and requirements on the LACMTA. The parties avoided a trial by negotiating a settlement with terms the LACMTA found reasonable. The settlement included the mandate to pay the ACLU attorney fees as described above. The settlement terms and payment for attorney fees were approved by the Board of Directors in August 2000 and January 2001 in closed sessions. LACMTA staff complied with the court mandated time limit by paying the approved fees in January 2001.

This payment represents resolution of the injunctive portion of the lawsuit as it relates to attorney fees.