

# United Spinal Association & New York City Reach Landmark Agreement To Make Every Street Corner In Every Borough Accessible To People With Disabilities: U.S. District Court Judge Issues Preliminary Approval



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**United Spinal Association** →  
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NEW YORK, March 19, 2019 /PRNewswire/ -- United Spinal Association and Center for Independence of the Disabled, New York (CIDNY) have reached an historic settlement agreement with the City of New York that will vastly improve sidewalk accessibility for wheelchair users and other members of the disability community.

On March 19, 2019, the Honorable Judge George B. Daniels of the Southern District of New York, issued preliminary approval of the settlement agreement, stating, "The agreement sets out a reasonable result for what should be an integral part of a first class city."

The agreement will require: completion of pedestrian ramp installations and upgrades, on specified schedules, at the approximately 162,000 street corners in the City; City-wide surveys (using laser technology) of all ramps; ongoing maintenance; complaint remediation; third-party monitoring; creation of a new Pedestrian Ramp Unit at the Department of Transportation (directed by an Associate Commissioner); and sharing of detailed information.

These widespread ramp installations and upgrades will be accomplished through coordinated construction programs, including in connection with the City's roadway resurfacing operations, mutually agreed prioritization criteria, complaints made by members of the public, and maintenance on an on-going, indefinite and regular basis.

"We've been fighting for more than 25 years to ensure that people with disabilities who live in, commute to, and visit our City are able to navigate it safely," said James Weisman, United Spinal's President and CEO, "Missing and non-compliant curb ramps pose great, often insurmountable, barriers to people with disabilities. This agreement provides for removal of those barriers in all five boroughs, and will set an important example for jurisdictions that have not yet made their street corners accessible. We commend the City for working with us and taking the appropriate actions to address this critical issue."

Robert B. Stulberg of Broach & Stulberg, LLP, the New York City law firm that represents the Plaintiff Class and Class Representative United Spinal (rstulberg@brostul.com [www.brostul.com](http://www.brostul.com)), remarked, "This landmark agreement will make it possible for people with mobility and vision disabilities in New York City to finally and fully exercise their basic civil right to cross safely from one side of the street to the other."

Susan Dooha, Executive Director of Co-Class Representative CIDNY added: "For people who are blind or use walkers or wheelchairs, it shouldn't be necessary to take your life in your hands while crossing the street to go to work, attend classes, or visit friends and family."

In 1994, United Spinal (then known as Eastern Paralyzed Veterans Association), sued the City for its failure to install curb ramps. A 2002 settlement, so ordered by the Honorable Thomas P. Griesa, required the City to spend hundreds of millions of dollars to install ramps City-wide, and established a Working Group to share data and resolve disputes. Subsequently, United Spinal, through the Working Group, raised concerns about completion of ramp installations, the need to upgrade ramps that were not ADA-compliant; and improvements needed to the ramp complaint response system.

In 2014, CIDNY filed a lawsuit alleging that the City had failed to install and maintain ramps in Community Boards 1, 2 and 3 in Manhattan. Both the CIDNY and United Spinal lawsuits were heard by Judge Daniels. In the last two and a half-years, counsel for the City, United Spinal and CIDNY engaged in negotiations and mediation that resulted in the settlement

agreement.

On March 13, 2019, counsel for United Spinal and the Plaintiff Class, and counsel for CIDNY submitted to the Court, with the City's consent, a motion seeking preliminary approval of the settlement agreement. That motion was approved by Judge Daniels on March 19, 2019 and an initial fairness hearing is set for July 23, 2019 at 10am.

The settlement agreement may be viewed at [https://www.unitedspinal.org/pdf/Stamped\\_settlement\\_agreement.pdf](https://www.unitedspinal.org/pdf/Stamped_settlement_agreement.pdf).

### **About United Spinal Association**

Formed in 1946 by paralyzed veterans, United Spinal is a national 501(c)(3) nonprofit membership organization dedicated to improving the quality of life for all Americans with spinal cord injuries and disorders (SCI/D), including multiple sclerosis, spina bifida, ALS and post-polio. Membership is free and open to all individuals with SCI/D, with over 53,000 members across 50 chapters nationwide. Known for its revolutionary advocacy efforts, United Spinal played a significant role in writing the Americans with Disabilities Act, provided important contributions to the Fair Housing Amendments Act and the Air Carrier Access Act, and was instrumental in attaining sidewalk curb ramps and accessible public transportation in New York City, which created the standard accessibility model used in many United States cities.

### **About Broach & Stulberg, LLP**

Founded in 1985, Broach & Stulberg, LLP represents individuals with disabilities, disability rights organizations, executives, professionals and hourly employees, labor unions, and employee benefit funds. Among the firm's disability rights cases are federal court class actions requiring installation and upgrade of curb ramps in New York City, requiring elevator access to a Jersey City PATH train station, challenging removal of New York City's street alarm box system, and challenging the use of an inaccessible bus system in Brooklyn. The firm also provides representation in disability discrimination and retaliation cases, and in disability income policy disputes.

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