

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

BRADLEY S. KRAUSE SR., and
SUSAN G. KRAUSE,

Plaintiffs,

v.

BROWARD COUNTY, a political
subdivision of the state of Florida,

Defendant.

**COMPLAINT
and
JURY DEMAND**

Plaintiffs, Bradley S. Krause, Sr. and Susan G. Krause, by and through their undersigned attorneys, file this Complaint for injunctive and declaratory relief, damages, costs, and attorneys' fees against Defendant, Broward County, a political subdivision of the state of Florida, and as good grounds state as follows:

PRELIMINARY STATEMENT

1. This civil rights action arises as a result of Defendant's discriminatory actions perpetrated against individuals with disabilities at the BB&T Center, an indoor sports and entertainment arena located in Sunrise, Florida, and owned by Defendant Broward County. Specifically, and as laid out in further detail below, Defendant has violated Title II of the Americans with Disabilities Act of 1990 ("ADA") and Section 504 of the Rehabilitation Act ("Rehabilitation Act") by, among other things, intentionally, recklessly, and/or with deliberate indifference:

- a. repeatedly discriminating against Plaintiffs Bradley and Susan Krause in connection with the sale of accessible seating for events at the BB&T Center;
- b. failing and refusing to adopt and/or implement policies, practices or procedures to ensure that individuals with disabilities have an equal opportunity to purchase tickets for accessible seating in the same manner and under the same conditions as all other ticket sales;
- c. failing and refusing to train its employees and agents in such a way as to achieve compliance with the ADA and Rehabilitation Act; and
- d. causing Plaintiffs Bradley and Susan Krause great emotional distress, insult, indignity, embarrassment, and humiliation by reason of disability.

Unless Defendant is required to modify its current policies and practices regarding the sale of accessible seating, Plaintiffs Bradley and Susan Krause, as well as thousands of other disabled individuals, will continue to be denied full and equal access to, and will be deterred from fully using, Defendant's services and venue.

JURISDICTION AND VENUE

2. This Court has jurisdiction of this action pursuant to 28 U.S.C. § 1331 for violations of the ADA, 42 U.S.C. §§ 12101 *et seq.* and the Rehabilitation Act, 29 U.S. Code § 794.

3. Plaintiffs' claims for relief are predicated, in part, on Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12101, *et seq.* Pursuant to 42 U.S.C. § 12133 and 29 U.S.C. § 794a(a), Plaintiffs seek injunctive relief and damages, and pursuant to 42 U.S.C. § 12205 and 29 U.S.C. § 794a(b), Plaintiffs seek award of attorneys' fees and costs.

4. Plaintiffs' claims for relief are predicated, in part, on the Rehabilitation Act, 29 U.S.C. § 794. Pursuant to 29 U.S.C. § 794a(a), Plaintiffs seek injunctive relief and damages, and 29 U.S.C. § 794a(b), Plaintiffs seek award of attorneys' fees and costs.

5. Plaintiffs also seek declaratory relief pursuant to 28 U.S.C. §§ 2201 and 2202. Plaintiffs seek preliminary and permanent injunctive relief pursuant to Rule 65, Federal Rules of Civil Procedure.

6. Venue is proper in this court pursuant to 28 U.S.C. § 1391(b) and (c) and is founded on the fact that the real property which is the subject of this action is located in this District, Plaintiffs' causes of action arose in this District, and Defendant, Broward County, is completely within this District.

PARTIES

7. Plaintiff, Bradley S. Krause, Sr., at all times relevant hereto, is and was a resident of Broward County, Florida. Bradley suffers from Inclusion Body Myositis, a rare neuromuscular disease that causes the progressive deterioration of muscles throughout the body. Bradley, a wheelchair user who is limited in the major life activity of walking, among others, is a member of a protected class under the ADA and the Rehabilitation Act.

8. Plaintiff, Susan G. Krause, at all times relevant hereto, is and was a resident of Broward County, Florida. Susan is Bradley's wife and caregiver in certain situations. Susan regularly attends concerts and other events with Bradley, including those held at the BB&T Center. When Susan attends these concerts and other events, she accompanies Bradley as his companion and sits in companion seats.

9. Defendant Broward County is a political subdivision of the state of Florida, and as such, is a public entity subject to Title II of the ADA. Defendant Broward County is a recipient

of federal funds, and therefore subject to the Rehabilitation Act. Defendant Broward County owns and maintains the BB&T Center, an indoor entertainment arena located at 1 Panther Pkwy, Sunrise, FL 33323. The BB&T Center seats up to 22,457 people, and is currently the largest indoor arena in Florida and second-largest in the Southeastern United States. According to the BB&T Center's website, Defendant sells tickets to events held at the BB&T Center through its physical box offices, by phone, or online through a third party Internet-based ticket vendor.

FACTUAL ALLEGATIONS

I. The ADA and Rehabilitation Act Require that Defendant Offer Plaintiffs Equal Opportunity to Purchase Accessible Seating

10. The ADA, enacted over a quarter century ago, is intended to “provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities.” 42 U.S.C. § 12101(b)(1). The ADA broadly protects the rights of individuals with disabilities in employment, access to State and local governmental services, places of public accommodation, transportation, and other important areas of American life.

11. Providing equal opportunity to individuals with disabilities is the fundamental principle of the ADA and Rehabilitation Act. Unfortunately, many public and private venues continue to refuse to provide individuals with disabilities with the equal opportunity to purchase accessible seating in the same manner and under the same conditions as all other ticket sales.

12. In order to combat this widespread discriminatory treatment of individuals with disabilities, regulations have been adopted and implemented with respect to entities that sell tickets for single events, or for a series of events. These regulations require such entities to implement policies, practices or procedures to ensure that individuals with disabilities have an equal opportunity to purchase tickets for accessible seating:

- a) During the same hours;

- b) During the same stages of ticket sales, including, but not limited to, pre-sales, promotions, lotteries, wait-lists, and general sales;
- c) Through the same methods of distribution;
- d) In the same types and numbers of ticketing sales outlets, including telephone service, in-person ticket sales at the facility, or third-party ticketing services, as other patrons; and
- e) Under the same terms and conditions as other tickets sold for the same event or series of events.

28 C.F.R. § 36.302(f)(ii).¹

13. Pursuant to these regulations, entities such as Defendant's BB&T Center may not require individuals who require accessible seating to email or call a separate representative in order to request tickets when non-accessible seating is available for immediate purchase through a box office or third party Internet-based vendor, for example, and may not release accessible seating to members of the general public who do not require accessible seating except in specific limited circumstances.

14. Unfortunately, as demonstrated by Defendant's treatment of Plaintiffs Bradley and Susan Krause as detailed more fully below, Defendant has failed and/or refused to implement policies, practices or procedures to ensure individuals with disabilities have the equal opportunity to purchase accessible seating in the same manner and under the same conditions as all other ticket sales, and as a result have repeatedly discriminated against Plaintiffs Bradley and Susan Krause in connection with the sale of accessible seating for events at the BB&T Center.

¹ The regulations implementing the various portions of the ADA, as they relate to stadiums, arenas, and the like, provide the baseline for measuring the BB&T Center's accessibility under the ADA and Rehabilitation Act.

II. Defendant has Repeatedly Refused to Provide Plaintiffs with an Equal Opportunity to Purchase Accessible Seating

Billy Joel – December 31, 2017

15. In October 2017, Bradley learned that Billy Joel, one of his favorite recording artists, would be performing at the nearby BB&T Center, in Sunrise, Florida. Tickets for the concert would be available for purchase to the general public beginning on Friday, October 20, 2017, at 10:00 a.m.

16. An avid music lover and concert goer, Bradley (correctly) guessed that the New Year's Eve Billy Joel concert would quickly sell out, and made plans to be available at exactly 10:00 a.m. on October 20, 2017, to ensure that he would be able to purchase accessible seats for both himself and his wife, Susan, preferably in the plaza level of the arena.²

17. On October 20, 2017, at exactly 10:00 a.m., Bradley went to the website of the third party ticket vendor through which Defendant sells tickets to events at the BB&T Center, in order to purchase seats. Unfortunately, although thousands of tickets throughout the arena were available for sale to individuals that did not require accessible seating – including ample seating in the plaza level - the vendor's website informed Bradley that there were only two accessible seats in the entire arena available for purchase, and none in the plaza level whatsoever.

18. Unsure of how Defendant could be offering only two accessible seats for purchase at the beginning of the general public on-sale period, but undeterred nonetheless, Bradley contacted one of Defendant's executive sales associates, Nicole Meloff, by email at 11:24 a.m. on October 20, 2017. Bradley informed Ms. Meloff that Defendant's third-party ticket vendor

² Plaintiff Susan Krause is not disabled and does not personally require accessible seating, however pursuant to the ADA and Rehabilitation Act she is entitled to purchase companion seats that are contiguous with the accessible seat purchased by her husband.

had shown only two (2) accessible seats in the entire arena, and none in the plaza level, and requested the ability to purchase two plaza level accessible seats for himself and his wife.

19. As shown by internal emails between sales representatives of the Defendant - which were later transmitted to Bradley by those same representatives - Ms. Meloff was subsequently informed by another of Defendant's representatives, Kevin Crawl, at 3:54 p.m. on October 20, 2017, that there were in fact fourteen (14) accessible seats available for purchase in the plaza level. Six (6) of these accessible seats were located in Section 109, while eight (8) of the accessible seats were located in Section 112. The emails also show that roughly half of the remaining accessible seats in these two sections were unavailable for purchase at the date and time of Mr. Crawl's email, for reasons unknown to Bradley. Unfortunately, neither Defendant nor its agents actually communicated the availability of any of these accessible seats to Bradley at this time.

20. Instead, Defendant's sales representatives did not communicate again with Bradley with regards to his Billy Joel ticket request until several days later, on the morning of Monday, October 23, 2017. At that time, Defendant's sales representatives contacted Bradley and informed him that the only plaza-level accessible seats still available for him to purchase were in Section 109. As these were the only plaza-level accessible seats that had been made available to him by Defendant at any time, Bradley accepted, and purchased tickets for two (2) accessible seats for himself and his wife in Section 109.

21. Angry and frustrated regarding his inability to purchase accessible seats for the concert online and immediately, in the same manner as those individuals who did not require accessible seating, and further disappointed by the fact that Defendant's sales representatives had

given him the option of accessible seating in only one plaza-level section in the entire arena, Bradley and his wife nonetheless prepared themselves for an exciting night at the BB&T Center.

22. That excitement quickly dissipated, however, when Bradley and his wife arrived at their accessible seats in Section 109. Although Defendant's sales representatives had represented to him that half of the accessible seats in that section were unavailable – months earlier, on the first day of the general public on-sale period - on the actual night of the concert, Bradley was the only individual in a wheelchair in the entire section. To make matters worse, it quickly became apparent that Defendant had instead sold ten (10) of the twelve (12) accessible seats in the section that Defendant had previously represented to Bradley were unavailable to individuals who did not require accessible seating, crowding Bradley and his wife.³

23. Following the concert, Bradley contacted Defendant by phone to inform Defendant of his experiences both attempting to purchase accessible seating at the BB&T Center, as well as his experiences at the BB&T Center on the night of the Billy Joel concert on December 31, 2017.

24. On January 10, 2018, Bradley was contacted via email by Defendant's Vice President of Event Operations and Security, Tom Embrey, who had been tasked with following up with Bradley regarding his experiences at the Billy Joel concert. The two subsequently spoke on the phone and emailed over the next several days, and Mr. Embrey suggested that, rather than using Defendant's third party ticket vendor in the same manner as any other individual who does not require accessible seating, Bradley and his wife should instead contact either himself or

³ At some point during the evening, another ticketed individual in a wheelchair did arrive at Section 109. Upon his arrival, and rather than asking the individuals in the section that did not require accessible seating to properly relocate, one of Defendant's ushers then asked Bradley and his wife to move over, so that Defendant could "squeeze" the other individual in the wheelchair into the section.

Defendant's Director of Ticket Operations, Chiara Deluca, when they desired to purchase tickets to events at the BB&T Center.

James Taylor – May 11, 2018

25. Although unhappy about having to purchase accessible seating for events at the BB&T Center through a different method of distribution than those individuals who did not require accessible seating - in contravention of the law - Bradley and his wife nonetheless took Mr. Embrey's advice, and contacted Mr. Embry the following week regarding accessible seats to the James Taylor concert at the BB&T Center on May 11, 2018.

26. On January 18, 2018, at 8:40 a.m., Bradley received an email - from Defendant - advertising for an "Exclusive Presale" for James Taylor's concert at Defendant's BB&T Center on May 11, 2018. The email stated that the "Venue Presale" would begin later that day, at 10:00 a.m., with a Promo Code provided by the email, and further stated that the "Public Onsale" would begin the next day, January 19, 2018, at 10:00 a.m.

27. Like the Billy Joel concert, Bradley guessed that tickets for the James Taylor concert would be extremely popular, and again made plans to be available at exactly 10:00 a.m. on January 18, 2018, to ensure that he would be able to purchase accessible seats for both himself and his wife, Susan, preferably in the plaza level of the arena, during the Venue Presale period.

28. So, on January 18, 2018, at exactly 10:00 a.m., Bradley went to the website of the third party ticket vendor through which Defendant sells tickets to events at the BB&T Center, in order to purchase seats for both himself and his wife.

29. Unfortunately, although thousands of tickets throughout the arena were again available for sale to individuals that did not require accessible seating – including ample seating

in the plaza level - the vendor's website informed Bradley that there were zero accessible seats in the entire arena available for purchase, in any section.

30. Again unsure of how Defendant could refuse to offer any accessible seats for purchase at the beginning of the Venue Presale period, Bradley next contacted Mr. Embry as instructed, by email at 10:37 a.m. on January 18, 2018. In his email, Bradley requested assistance in purchasing plaza-level accessible seating for the James Taylor concert, and expressed his anger and frustration over having been emailed directly by Defendant offering the opportunity to purchase tickets during an exclusive presale period, and then refused the ability to actually purchase those tickets. Bradley also provided Mr. Embry with a screenshot of Defendant's third party ticket vendor's website, displaying a message that no accessible seats were available for purchase during the Defendant's Venue Presale period.

31. In response to his email, Bradley was contacted by Defendant's Director of Ticket Operations, Chiara Deluca, who arranged for Bradley to purchase plaza-level accessible seats for both himself and his wife to the James Taylor concert in Section 117, despite the fact that no accessible seats, including the ones sold to Bradley on that same day, were available for purchase through Defendant's third party ticket vendor to Bradley or any other disabled individual. Ms. Deluca also instructed Bradley to stop attempting to use the Defendant's third party ticket vendor to purchase tickets, and instead contact her directly, prior to an event's general on sale period, when Bradley and his wife desired to purchase tickets to events at the BB&T Center.

Def Leppard and Journey – August 17, 2018

32. A short period of time later, Bradley discovered that Def Leppard and Journey would also soon be playing at Defendant's BB&T Center, on August 17, 2018, and that tickets for the concert would go on sale on February 3, 2018, at 10:00 a.m.

33. Knowing full well that Defendant would refuse to allow him to purchase accessible seating through its third party ticket vendor – as it had for the prior several events at the BB&T Center – Bradley instead emailed Ms. Deluca on January 22, 2018, at 4:12 a.m., prior to the general on sale period as instructed, and requested assistance in purchasing plaza-level accessible seating for the Def Leppard and Journey concert on August 17, 2018.

34. Several days later, on January 25, 2018, Ms. Deluca responded to Bradley and offered to arrange for Bradley to purchase plaza-level accessible seats for both himself and his wife to the Def Leppard and Journey concert in Section 119, as soon as the tickets went on sale on February 3, 2018.

35. When Bradley and his wife arrived at their accessible seats in Section 119 on August 17, 2018, however, it soon became apparent to Bradley and his wife that Defendant had again refused to allow other individuals who required accessible seating to purchase such seats through Defendant's third party ticket vendor in the same manner as any other individual who does not require accessible seating. Instead, once again, on the actual night of the concert, Bradley was the only individual in a wheelchair in the entire section.

36. In addition to these specifically enumerated events, there have been several other occasions in the past year in which Bradley and Susan have attempted to purchase accessible seats for events at Defendant's BB&T Center from Defendant and/or its agents, and, in violation for the law, were refused the equal opportunity to purchase accessible seating by Defendant, and were instead forced to either: (a) email or call a separate representative of Defendant in order to request tickets for accessible seating, even though non-accessible seating was available for immediate purchase through Defendant's box office and/or third party ticket vendor; (b) purchase accessible seating in non-preferred locations when Defendant either misrepresented the

availability of accessible seating at the time of purchase and/or released accessible seats in preferred locations to non-disabled individuals who did not require accessible seating (and/or held such seats for later release to non-disabled individuals who do not require accessible seating); or (c) abandon efforts to purchase accessible seating and attend a particular event at the BB&T Center given the difficulties and obstacles imposed by the Defendant with regards to the purchase of accessible seating.

III. Impact of Defendant's Discriminatory Actions and Policies on Bradley and Susan Krause

37. Plaintiffs Bradley and Susan Krause were and are distressed, insulted, angry, despondent, and humiliated that Defendant was and is discriminating against them in blatant disregard for the Americans with Disabilities Act and the Rehabilitation Act.

38. As an individual who has been forced to use a wheelchair by reason of disability, Bradley and his wife, Susan, are particularly sensitive to discriminatory practices, having been denied equal access to various events and locations and otherwise having been the victims of discrimination due to Bradley's disability throughout their lives together.

39. Plaintiffs Bradley and Susan Krause were and are distressed, insulted, angry, despondent, and humiliated that Defendant, despite its status as a political subdivision of the state of Florida and owner of the largest indoor arena in the state of Florida, continues to engage in such discriminatory practices, which have the impact of denying Plaintiffs Bradley and Susan Krause, as well as thousands of other disabled individuals, the equal opportunity to purchase accessible seating in the same manner and in the same conditions as all other ticket sales for events at Defendant's BB&T Center, and the result of excluding such individuals from the opportunity to attend and enjoy events at Defendant's arena.

40. As a result of Defendant's discriminatory actions, Plaintiffs Bradley and Susan Krause have spent countless hours discussing, thinking, and distressing over the discrimination they have been subjected to, as well as the fear they feel that they will be again be subjected to such discrimination the next time they attempt to purchase accessible seating from Defendant for an event at Defendant's BB&T Center.

41. Plaintiffs Bradley and Susan Krause have spent a significant amount of time thinking about Defendant's discriminatory restrictions, policies, and incidents described herein, as well as other disabled individuals that were and are excluded from the equal opportunity to purchase accessible seating in the same manner and in the same conditions as all other ticket sales for events at Defendant's BB&T Center due to their disabilities, and have felt the aforementioned emotions.

42. Defendant's unlawful conduct proximately caused Plaintiffs Bradley and Susan Krause to suffer the aforementioned emotions, which have manifested into anxiety, depression, fatigue, marital stress, headaches, stomach issues and feelings of indignity and hopelessness.

43. Plaintiffs Bradley and Susan Krause continue to live in Broward County, Florida, and have a sincere and significant interest in continuing to visit Defendant's BB&T Center in order to attend various entertainment and sporting events, and plan to do so in the near future. As such, without Court intervention, Bradley and Susan will continue to be subjected to Defendant's discriminatory actions, omissions, policies, and procedures.

COUNT ONE:
VIOLATIONS OF THE
AMERICANS WITH DISABILITIES ACT AND
SECTION 504 OF THE REHABILITATION ACT

44. Plaintiffs Bradley and Susan Krause repeat and reallege paragraphs 1 through 43 as if fully set forth herein.

45. Defendant is both a public entity and recipient of federal funds, and is therefore subject to Title II of the ADA and the Rehabilitation Act.

46. Defendant owns and maintains the BB&T Center and therefore the regulations implementing the various portions of the ADA, as they relate to stadiums, arenas, and the like, provide the baseline for measuring the BB&T Center's accessibility standards that the Defendant must adhere to with respect to the selling of tickets and seating offerings at the BB&T Center.

47. Plaintiff Bradley Krause is a wheelchair user who is limited in the major life activity of walking, among others, and is a member of a protected class and qualified individual under the ADA and the Rehabilitation Act.

48. Plaintiff Susan Krause is Bradley Krause's wife and caregiver in certain situations. Susan regularly attends concerts and other events with Bradley, including those held at the BB&T Center. When Susan attends these concerts and other events she accompanies Bradley as his companion and sits in companion seats.

49. Defendant's BB&T Center is a facility and its operation comprises a program and service for purposes of Title II of the ADA and the Rehabilitation Act.

50. Defendant authorized its agents and employees to act for it when they committed the ADA and Rehabilitation Act violations alleged herein. Defendant's agents and employees accepted the undertaking of acting on behalf of Defendant when they committed the ADA and Rehabilitation Act violations alleged herein. Defendant had control over its agents and employees when they committed the ADA and Rehabilitation Act violations alleged herein.

51. The ADA and Rehabilitation Act violations alleged herein and committed by Defendant's agents and employees were done while acting within the course and scope of their employ and/or agency with Defendant. Thus, Defendant is vicariously liable for the actions of

its agents and employees when they committed the ADA and Rehabilitation Act violations alleged herein.

52. Defendant owed and owes Plaintiffs Bradley and Susan Krause a nondelegable duty to comply with its obligations under the ADA and Rehabilitation Act. Accordingly, Defendant is liable for all discriminatory actions of any person or entity it delegated its obligations to.

53. Defendant, its agents and employees, acted intentionally, recklessly, and/or with deliberate indifference to Plaintiffs Bradley and Susan Krause's rights under the ADA and Rehabilitation Act by, among other things, intentionally, recklessly, and/or with deliberate indifference:

- a. repeatedly discriminating against Plaintiffs Bradley and Susan Krause in connection with the sale of accessible seating for events at the BB&T Center;
- b. failing and refusing to adopt and/or implement policies, practices or procedures to ensure that individuals with disabilities have an equal opportunity to purchase tickets for accessible seating in the same manner and under the same conditions as all other ticket sales;
- c. failing and refusing to train its employees and agents in such a way as to achieve compliance with the ADA and Rehabilitation Act; and
- d. causing Plaintiffs Bradley and Susan Krause great emotional distress, insult, indignity, embarrassment, and humiliation by reason of disability.

54. A discriminatory purpose, not any legitimate reason, was a motivating factor behind Defendant's aforementioned discriminatory actions.

55. Such discriminatory acts directly violate the ADA, Rehabilitation Act, and relevant regulations, and as such, constitute discriminatory acts with no need to infer or imply Defendant's intent.

56. As a direct and proximate result of Defendant's, its employees' and agents' intentional, reckless, and deliberately indifferent discriminatory acts, Plaintiffs Bradley and Susan Krause are and were denied equal access and have had to endure emotional and mental distress, anxiety, humiliation, degradation, public ridicule, and shame, which have resulted in physical manifestations.

57. As a result of Defendant's discriminatory conduct, Plaintiffs Bradley and Susan Krause have suffered, are continuing to suffer, and will in the future suffer irreparable loss and injury and a real and immediate threat of future discrimination by Defendant.

WHEREFORE, on this Count One, Plaintiffs Bradley and Susan Krause respectfully request this Court to:

- A. declare that Defendant discriminated against Plaintiffs Bradley and Susan Krause in violation of the ADA and the Rehabilitation Act;
- B. enter permanent injunctive relief requiring Defendant, its successors in office, agents and employees, and all other persons in concert therewith, to immediately change its policies, procedures, and practices, so that Plaintiffs Bradley and Susan Krause will be able to enjoy the programs, activities and services at the BB&T Center in the future;
- C. enter permanent injunctive relief enjoining Defendant, its successors in office, agents and employees, and all other persons in concert therewith,

from taking or continuing any action which has the purpose or effect of discriminating against Plaintiffs Bradley and Susan Krause;

- D. enter permanent injunctive relief enjoining Defendant, its successors, and its servants, agents and employees, and all those acting in concert with it, from discriminating on the basis of disability with respect to the facilities, programs, activities and services at the BB&T Center;
- E. enter permanent injunctive relief requiring Defendant to take appropriate affirmative action to ensure that the activities complained of above are not engaged in again by Defendant, its successors, and its servants, agents and employees, and all those acting in concert with it;
- F. enter permanent injunctive relief requiring Defendant, its successors, and its servants, agents and employees, and all those acting in concert with it, to adopt policies, procedures and practices, which will ensure that all disabled individuals and their companions may fully enjoy the facilities, programs, activities and services at the BB&T Center;
- G. enter permanent injunctive relief requiring Defendant, its successors, and its servants, agents and employees, and all those acting in concert with it, to develop training programs in order to ensure compliance with the ADA and Rehabilitation Act with respect to the facilities, programs, activities and services at the BB&T Center;
- H. award Plaintiffs Bradley and Susan Krause, compensatory damages for, among other things, mental anguish, loss of dignity, and any and all other

intangible injuries they suffered as result of Defendant's discriminatory actions;

- I. award Plaintiffs Bradley and Susan Krause pre- and post-judgment interest;
- J. award Plaintiffs Bradley and Susan Krause their costs;
- K. award Plaintiffs Bradley and Susan Krause their attorneys' fees in this action; and
- L. grant such other and further relief as the Court deems just and equitable.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b), Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury on all issues so triable in this matter.

Respectfully submitted,

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