

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOCELYN PIERRE,

DEFAULT JUDGMENT

Plaintiff,

-against-

Civil Action No.:
1:22-cv-3232-LGS

DYNASTY AND FLAME INC. AND
CHU SHEN REALTY INC.,

Defendants.

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NOW THEREFORE, this action having been commenced on April 20, 2022, by the filing of the summons, civil cover sheet and complaint, and a copy of the same having been served through the secretary of state on May 24, 2022; and Defendants Dynasty and Flame Inc. and Chu Shen Realty Inc. not having answered the complaint, and the time for answering the complaint having expired, it is

ORDERED, ADJUDGED, AND DECREED: That the Plaintiff have judgment against the Defendants to:

Pursuant to 42 U.S.C. §12188, this Court is vested with the authority to grant the Plaintiff's injunctive relief; including an order to alter the Premises to make them readily accessible to, and useable by, individuals with disabilities to the extent required by the American with Disabilities Act ("ADA"), the New York City Human Rights Laws ("NYCHRL"), and the New York State Human Rights Law ("NYSHRL"), and closing the Premises until the requisite modifications are completed. Specifically:

- a. Retain an ADA expert/architect to provide a report, which sets forth the violations found and make a plan for remediation of these violations. The report should at least specifically address how to remediate the violations noted in the Complaint:
 - i. Provide an accessible entrance and install a ramp with appropriate slope and signage, and/or otherwise provide an accessible and properly designated entrance.
 - ii. Provide signage addressing people with disabilities telling them that accessible services are provided.
 - iii. Provide a safe and accessible emergency exit.
 - iv. The injunctive relief provided must be in accordance with city, state and federal laws including 28 CFR Part 36, Sec. 36.304 which provides instructions for the Removal of barriers in existing facilities as well as the 2010 ADA Standards for Accessible Design which provides minimum requirements for public accommodations to become readily accessible and useable by individuals with disabilities.

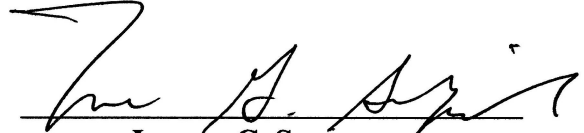
Further, that the Plaintiff be awarded, not less than one thousand dollars (\$1,000) in compensatory damages based on the Defendants' violation of the NYCHRL and the NYSHRL; the Defendants to comply with terms of the Final Judgment within sixty (60) days of the entry of the judgment; and this Honorable Court retain jurisdiction relating to the Plaintiff's attorneys' fees and said motion shall be filed within ninety (90) days of entry of this Final Judgment.

Pursuant to 28 C.F.R. §36.201(b), both the landlord and the tenant are a public accommodation and have full responsibility for complying with the ADA requirements.

Therefore, Defendants Dynasty and Flame Inc. and Chu Shen Realty Inc. are jointly and severally liable and this order shall be enforceable as to all Defendants.

Dated: New York, New York

September 16, 2022



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE