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FOR IMMEDIATE RELEASE:

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Disability Rights Group Sues Dave & Busters Restaurant/Entertainment Complexes Not Accessible to Customers Who Use Wheelchairs

DENVER, October 3, 2006 -- Late yesterday afternoon The Colorado Cross Disability Coalition ("CCDC"), www.ccdconline.org, a statewide disability rights advocacy organization, filed suit in federal court in Denver against Dave & Buster's, Inc., www.daveandbusters.com, the owner and operator of two Dave & Buster's restaurant/entertainment complexes in the Denver area. *See* attached complaint. The complaint alleges Dave & Buster's does not comply with the Americans with Disabilities Act because of numerous barriers to accessibility for individuals who use wheelchairs. These barriers include, without limitation, inaccessible service counters and bars, a lack of appropriate accessible parking, and stairs at the entrances of Show Rooms.

The suit also alleges that Dave & Buster's designed and constructed both its Denver and Westminster entertainment complexes after the Americans with Disabilities Act ("ADA") passed in 1990 and both do not meet the ADA's requirements for accessible buildings and facilities.

CCDC volunteer Rob Sirowitz, who uses a motorized wheelchair, said, "Dave & Buster's has bar areas where you can watch all kinds of sporting events, except if you use a wheelchair. There is no access to seating at the bar, and there are no lower tables for someone in a wheelchair to use."

According to the lawsuit, CCDC contacted Dave & Buster's owners and informed them of some of the barriers to accessibility, but Dave & Buster's never responded to the letter. "That's the frustrating part for our membership," said Kevin Williams, CCDC's Legal Program Director and the attorney bringing the case, "We told them what the legal issues are and how to comply, and they didn't even bother to respond. Litigation could have been avoided, and the problems resolved if the simply would have contacted us." Williams added that it is becoming a trend for businesses to fail to respond to the Coalition's letters. "Apparently, they just don't think access issues are important."

The suit seeks a court-ordered injunction requiring Dave & Buster's to bring its restaurant/entertainment complexes into compliance with the ADA and unspecified money damages for CCDC members who have experienced barriers.

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