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Yankwitt LLP Secures Dismissal of Complaint Against Restaurant Client

Yankwitt LLP successfully moved for summary judgment resulting in the dismissal of all claims against its restaurant client in a federal discrimination action. The plaintiff alleged that she was asked to leave the restaurant after dining at her table for more than three hours and that this request constituted race discrimination. Following discovery, Yankwitt LLP moved for summary judgment to dismiss the entire complaint on the basis that the plaintiff had failed to meet her evidentiary burden.

In support of its motion, Yankwitt LLP crafted a powerful brief coupled with a detailed declaration, in which it emphasized the evidentiary failings of the plaintiff's claims and marshaled extensive evidence in its client's favor. In a detailed opinion, the federal court agreed with Yankwitt LLP on all counts and dismissed the case. In particular, the court held that the plaintiff failed to show that she was denied equal treatment on the basis of race and had no evidence to counter the restaurant's proffer of a written, race-neutral policy reserving the right to ask patrons to leave their tables after 90 minutes if the restaurant was busy.

After prevailing on its motion for summary judgment, the court granted Yankwitt LLP's motion to seek recoupment of a portion of its fees from the plaintiff and/or her law firm.