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**Former Senior Trial Attorney, US Department of Justice, Civil Rights Division, Disability Rights Section.**

**Responsible for nationwide enforcement of the ADA on behalf of the United States.**

### **Employment History**

#### **CEO, ADA Expertise Consulting, LLC.**

[www.ADAexpertise.com](http://www.ADAexpertise.com) 2015-Present

We provide nationwide consulting services and litigation support concerning titles II and III of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Section 508, and the Fair Housing Act.

We assist businesses and state and local governments nationwide.

We also assist plaintiffs and defendants in addressing alleged violations of the ADA, Section 504, and the Fair Housing Act, including, among other issues, digital accessibility, architectural issues, reservation requirements concerning hotels.

We also provide nationwide trainings about the ADA, including, but not limited to, service animals, law enforcement, and Self Evaluations and Transition Plans, and assist attorneys with evaluating discovery, complaints, and negotiating settlement offers.

In addition, I testify as an expert witness on the ADA in federal court nationwide.

#### **Projects include, but are not limited to, serving as ADA consultant to:**

- Monroe County, FL - Development of Self-Evaluation
- Marathon, FL
- Islamorada, FL

- City of St. Louis
- Los Angeles County, Department of Public Works - Transition Plan and Self Evaluation
- City of San Diego
- Nestle Corporation
- LabCorp
- Real Page
- Nespresso
- Purina
- Hot Pockets
- Haagen Dazs
- Carnival Cruise Lines
- Marriott Beachside Hotel, Key West, FL
- Hyatt Place, Marathon, FL
- Designated as Plaintiff's ADA Expert (Class Action regarding Sidewalks and Rights of Way): LAUREL LAWSON, JAMES CURTIS, and JAMES TURNER v City of Atlanta

**Prior Employment:**

**Director of Advocacy,** Center for Independent Living of South Florida, Miami, FL. 2005-September 2015

Was responsible for systems advocacy concerning the federal civil rights of persons with disabilities.

Collaboratively worked with the disability community, businesses, employers, and state and local governments to enhance voluntary compliance with titles II and III of the ADA, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act. Focused primarily on systems advocacy

Notable accomplishments included changes to delivery of services to individuals with disabilities under title II of the ADA, including emergency management programs and services,

homeless programs, polling place improvements, voting rights, health care discrimination, improving services by law enforcement and the courts, ADA training, addressing housing discrimination by local governments and private housing providers, and enhancement of recreational access, among others.

Also provided training on title II and title III nationwide, and appointed to serve on Advisory Panel for the Department of Children and Families (DCF) concerning DCF's Settlement with US Department of Health and Human Services (HHS), involving provision of services to deaf and hard of hearing individuals served by DCF. See <http://www.myflfamilies.com/service-programs/deaf-and-hard-hearing/advisory-committee>

### **Senior Trial Attorney**

US Department of Justice, Civil Rights Division, Disability Rights Section

Washington, DC 1993-2005 [www.ADA.gov](http://www.ADA.gov)

Responsible for nationwide education about and enforcement of the ADA and Section 504 on behalf of the United States. Investigated and litigated cases of first impression, under titles II and III of the ADA, involving stadiums, health care providers, restaurants, hotels, movie theaters, banks, law offices, zoos, businesses, and programs, services, and activities of state and local governments. Many were cases of first impression.

Evaluated Transition Plans and Self Evaluation Plans.

Also provided trainings, nationwide, on behalf of the Justice Department, and assisted in the development and delivery of technical assistance material.

Responsible for development of ADA training material and technical assistance on behalf of the United States, and trainings and speeches on the ADA and Section 504 nationwide.

Responsible for investigation of employment discrimination cases referred by the EEOC.

**Notable Cases and Investigations Included:**

*Becker CPA Review Course.* The first ADA case brought by the Department under title III of the ADA

[http://www.justice.gov/crt/foia/readingroom/frequent\\_requests/ada\\_settlements/dc/dc1.txt](http://www.justice.gov/crt/foia/readingroom/frequent_requests/ada_settlements/dc/dc1.txt)

*Lone Star Steakhouse* The Justice Department's first nationwide title III case concerning restaurants.

[http://www.justice.gov/crt/foia/readingroom/frequent\\_requests/ada\\_settlements/fl/fl8.txt](http://www.justice.gov/crt/foia/readingroom/frequent_requests/ada_settlements/fl/fl8.txt)

*US v. Greg Tirone* The Justice Department's first title III case concerning the obligation of lawyers to provide sign language interpreters to clients. <http://www.ada.gov/tirone.htm>

*Kennedy Center*

*San Diego Stadium* (San Diego Padres – Qualcomm Stadium) - architectural obligations

*Ford Field (Detroit Lions)* - Investigation involving policy modification requirements and architectural obligations

*Disney* – Investigation involving use of service animals at its theme parks in Florida and California

***Special Counsel,*** US Department of Justice, Office on Violence Against Women, Office of the Deputy Attorney General, Washington, DC (On Detail)  
1994-1995

Appointed by Bonnie Campbell, Director of the Office, to assist in interpretation and implementation of the Violence Against Women Act (VAWA), which had just been passed. Responsible for providing guidance about VAWA to other components of DOJ and to other federal agencies, speech-writing, and meetings with organizations and individuals across the United States.

Provided advice and guidance to Director Campbell, as well as to victims, law enforcement agencies, organizations, and others concerning VAWA.

Received personal commendation from Attorney General Reno for work done on behalf of crime victims.

***Assistant State Attorney,*** Key West, FL (Monroe County, FL) 1989-1991

Senior Prosecutor. Assigned to complex trials, as well as all cases concerning domestic violence and child abuse. Extensive trial experience, and expertise in domestic violence.

**Special Assistant US Attorney - HIDTA**

1991-1993

Assigned to HIDTA (High Intensity Drug Trafficking Area), and cross-designated as a Special Assistant US Attorney, working with the South Florida US Attorney's Office, the FBI, US Customs, IRS, FDLE, Key West Police Department, and the Monroe County Sheriff's Office.

Investigated money laundering cases. Among other cases, helped to develop and implement Operation Cash Extraction, a nationwide investigation that seized over \$50 million in drug assets.

See <https://americandigitalnews.com/index.php/2017/10/19/operation-cashextraction-nets-3-6-million/>

**Assistant District Attorney, Kings County (Brooklyn, NY)**

1983-1989

Prosecuted felonies and misdemeanors, from Grand Jury to trial. including white collar crimes and environmental crimes. Extensive trial experience.

Prosecuted case of first impression in New York state (Pymm Thermometer), involving poisoning of thermometer factory workers by exposure to toxic mercury fumes. This was the first case of its kind in New York state, and only the third of its kind in the nation.

See <http://www.nytimes.com/1990/10/17/nyregion/court-says-job-hazards-may-bea-crime.html> and <https://elr.info/sites/default/files/litigation/21.20404.htm>

**Trial Attorney, US Department of Justice, Civil Rights Division, Employment Litigation Section**

1981-1983 Washington, DC

**Honors Program**

Upon graduation from law school, accepted into the Justice Department's Honors Program "the ...most prestigious federal entry-level attorney hiring program of its kind."

(<http://www.justice.gov/legal-careers/entry-level-attorneys> )

Conducted investigations and trials. Notable cases included *Bazemore v. Friday*, which went to the Supreme Court. (See 478 US 385 (1986)). See

<https://supreme.justia.com/cases/federal/us/478/385/> and

Justice Department investigation of sex discrimination in prisons –Case involved assignments of women as guards in direct contact with male inmates in Indiana prison system, under title VII. First case of its kind in the country.

**Honors and Awards:**

Attorney General's Special Achievement Award

Handwritten personal commendation from Attorney General Reno concerning work at Office on Violence Against Women

Polaroid Foundation Award for Community Service

Justice For All Award for Outstanding Contributions To Victims Of Crime– From the Florida Attorney General and Coral Gables FL Police Department

**Consultant, NBC News**

NBC News: <https://www.nbcnews.com/news/nbcblk/disabled-black-searchingjustice-n1232204>

NBC News Interview: <https://nbcpalmsprings.com/2020/05/22/ada-experts-sayshoppers-with-disabilities-are-required-to-wear-a-mask/>

**Consultant, Talking Points Memo ([www.TalkingPointsMemo.com](http://www.TalkingPointsMemo.com))**

Talking Points Memo Interview: <https://talkingpointsmemo.com/news/behind-the-dumb-meme-that-disability-law-exempts-you-from-wearing-a-mask-at-costco>

**References: (Other references available upon request)**

**Bill Hecker, AIA - Accessibility Consultant**

*Hecker Design, LLC*

*3568 Hampshire Drive*

*Birmingham, AL 35223*

*(205) 298-1900 v/tty (205) 298-1901 fax [bill@HeckerDesign.info](mailto:bill@HeckerDesign.info)*

"I have worked for more than 25 years with Marc Dubin, Esq. - CEO of ADA Expertise Consulting, LLC. He is a former Senior Trial Attorney with the United States Department of Justice, Civil Rights Division, Disability Rights Section and in that capacity he was on the litigation teams that retained me as an expert witness for ADA facility compliance cases.

He is very knowledgeable about ADA compliance issues and ADA regulations which were at the heart of his enforcement responsibilities at DOJ. Marc is one of a handful of former DOJ attorneys who have transitioned well into the arena of ADA consulting. Marc offers the lessons learned from his unique ADA enforcement experience to clients who want to work to minimize ADA liability and exposure to litigation.

Another resource at Marc's command is his network of unique ADA professionals who can aid his clients in the variety of specialized areas of accessibility compliance that few can offer. I recommend Marc Dubin, Esq. to anyone seeking to understand and comply with the Americans with Disabilities Act."

**Betty Siegel, Director of Accessibility at The John F. Kennedy Center for the Performing Arts, Washington, D.C.**

"Several years ago, I worked with Marc in resolving a complaint against a local arts organizations concerning accessibility. I found Marc to be thoroughly professional, an expert on the ADA, and a fine example of what an attorney advocating for his client can accomplish."

**ADA Coordinator, City of Miami, FL:**

"Mr. Dubin's extensive experience and knowledge of the ADA ...continues to be a tremendous asset to ...ADA Coordinators, like myself, who ... freely reach out to him for guidance on policy matters."

**Joe Kocy, formerly the Broward County Administrator's Special Assistant for Housing:**

"Marc offers concerns and information about possible violations of the law, time and time again, challenging one to improve services to people with disabilities and providing the tools and contacts to do so...He makes one wonder whether it is worth the risk to ignore the advice. I have found him to be thoroughly professional, well informed, very well-connected, and an asset to my efforts to enhance services to the disability community. He has provided me with a library of information on the technical details to abide/comply with the law. The information he provided educated me on why compliance was easy and the right thing to do (not only necessary)."

**Marriott Beachside Hotel, Key West, FL:**

"ADA Expertise Consulting assisted us in enhancing our services to guests with disabilities by providing our staff with training in the ADA. The trainings covered a wide variety of important issues, including serving guests with service animals, as well as simple ways to implement the mandates of the ADA to improve our service to guests with disabilities. We recommend their training and other services, and appreciate the importance of ensuring compliance with the ADA so as to ensure that our guests with disabilities have a great experience at our hotels."

**Education:**

J.D. Northeastern University School of Law 1981

B.S. Brandeis University, Magna Cum Laude, with High Honors in American Studies, 1978