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May 13, 2008

CONTACT: Michael Silverman
t: 646.862.9396 | c: 917.292.1495
msilverman@transgenderlegal.org

Transgender Legal Defense & Education Fund Settles Lawsuit Against West Village Restaurant That Ejected Lesbian Customer After Gay Pride March

Press Conference Planned Outside Courthouse at 60 Centre Street, 11:30 a.m. today

NEW YORK, NEW YORK, MAY 13, 2008 - The Transgender Legal Defense & Education Fund (TLDEF) today announced the settlement of a lawsuit brought against Caliente Cab Company in the West Village after the restaurant ejected a lesbian patron following the city's annual Gay Pride march because a bouncer thought she was too masculine to use the women's restroom.

As part of the settlement in [Farmer v. Caliente Cab Restaurant Company, Inc.](#), Caliente has agreed to, among other things:

- add gender, including gender identity and expression, to its corporate non-discrimination policy;
- amend its employee handbook to state "persons patronizing or employed at Caliente have the right to use the bathroom facilities consistent with their gender identity and expression;"
- adopt a gender-neutral dress code for its employees;
- institute personnel training programs regarding its new policies; and
- pay \$35,000 in damages to plaintiff Khadijah Farmer.

According to the Complaint, the facts of which Caliente denies, Khadijah Farmer patronized the Caliente Cab Company restaurant on Seventh Avenue South, in the heart of New York's historically-gay Greenwich Village, on June 24, 2007, after attending the city's annual Gay Pride march. While in the women's restroom, a male bouncer came in and began to pound on the door of the stall she was using. The bouncer insisted Farmer was a man and refused to look at her identification, which she offered as proof she is a woman. The bouncer ejected Farmer from the bathroom and then proceeded to throw her, her girlfriend, and the rest of their party out of the restaurant.

"I'm very happy that the restaurant has taken appropriate steps to ensure that all patrons, regardless of how masculine or feminine they appear, are treated with dignity and respect," Farmer said. "People come in all shapes and sizes, and they shouldn't be discriminated against because they don't match someone's expectations of how masculine or feminine they should be."

"People are routinely harassed and abused when they fail to conform to expectations about gender, especially in places like restrooms," TLDEF executive director Michael Silverman, one of Farmer's lawyers, added. "Today's settlement marks a step forward in ensuring that people have equal access to public accommodations like restrooms and restaurants without regard to their gender identity or expression."