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Smith v. Board of Commissioners of Louisiana Stadium and Exposition District

United States District Court, E.D. Louisiana - March 7, 2019 - F.Supp.3d - 2019 WL 1084754

Purchaser of tickets for concert held at stadium, who was amputee and used wheelchair, brought action against state entity that owned stadium, chairman of its board of commissioners, and stadium manager, asserting claims for damages and injunctive relief under Americans with Disabilities Act (ADA).

Defendants moved for summary judgment.

The District Court held that:

- Entity was arm of state of Louisiana, and thus was entitled to Eleventh Amendment immunity;
- Entity's alleged ADA violations did not also directly violate Fourteenth Amendment; and
- Entity's alleged ADA violations did not implicate right guaranteed by Fourteenth Amendment.

State entity, which owned stadium, was arm of state of Louisiana, and thus was entitled to Eleventh Amendment immunity in disabled patron's action alleging that stadium's seats were not compliant with ADA, although entity had capacity to be sued in its own name and was able to own property, where any judgment against entity would be paid from state treasury, state appropriated funds for entity, members of entity's board of commissioners were appointed by state governor, board was comprised of five people from different parts of entire state, language in entity's enabling legislation described it as "instrumentality of the state," entity was subject to state audit, and entity had little local autonomy.

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