

Date:

Pursuant to **28 C.F.R. 36 NONDISCRIMINATION ON THE BASIS OF DISABILITY BY PUBLIC ACCOMMODATIONS AND IN COMMERCIAL FACILITIES**, refusing to allow any person who expresses a “medical” or “physiological” condition that would be exacerbated by compliance with a ‘facemask mandate’ is in direct violation of the **FEDERAL REGULATION** attached to this notice hereto. Any expression of a physical or mental condition that would be exacerbated by your ‘mask policy’ in order to receive “full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations”¹ is a **violation** of the **Americans with Disabilities Act** (“the Act”) and makes this business liable for **up to \$75,000 in civil penalties** in addition to any attorney’s fees accumulated by this individual in pursuing legal action against the establishment for injunctive relief.

Any attempt by this establishment or its employees to **“intimidate, threaten, or interfere with any individual in the exercise or enjoyment of,** or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by the Act” is **strictly prohibited**.

In addition to federal law, the **Illinois Constitution, Article XI §2** states in relevant part, “Each person has the right to a healthful environment. Each person **may enforce this right against any party, governmental or private**, through appropriate legal proceedings subject to reasonable limitation and regulation as the General Assembly may provide by law.” The Illinois General Assembly has **not** passed any law authorizing places of public accommodation, like this establishment, to discriminate and coerce an individual into obstructing their primary airways with any apparatus, under any circumstances. Thereby, your business, in refusing this customer is in **violation of both the Illinois Constitution and Federal Law**.

I, _____ (employee/owner name) hereby am **knowingly and willingly** choosing to disregard this person’s **federal and state protected right** to reasonable accommodations for his/her **expressed physiological condition** and understand that I am assuming responsibility and liability thereto.

X _____

¹ 28 C.F.R. § 36.201