

Massachusetts State Lottery Commission

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TIMOTHY P. CAHILL
Treasurer and Receiver General

MARK J. CAVANAGH
Executive Director

January 25, 2010

**Re: Access With Success, Inc. v. Mark Cavanagh, Executive Director, Mass.
State Lottery; USDC Civil Action No. 09-10993-PBS**

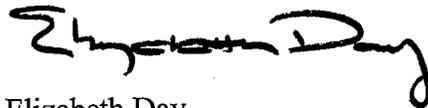
Dear Lottery Sales Agent:

The Massachusetts State Lottery Commission was recently served with a civil complaint, filed in the United States District Court for the District of Massachusetts, alleging that the State Lottery is a "program, activity or service" as defined by Title II of the Americans with Disabilities Act ("ADA"), and that this program is currently not accessible to disabled individuals with mobility problems. More specifically, the plaintiffs claim that many of the Lottery sales agents' premises have barriers that prevent individuals in wheelchairs from entering the store and playing the Lottery; examples of such alleged barriers include lack of handicap parking, curb cuts, or ramps; narrow doorways; and/or excessive counter heights. The plaintiffs are asking the Court to order that any Lottery retail location not in compliance with Title III of the ADA be required to come into compliance with the ADA by the next scheduled license renewal period or else not be licensed to sell Lottery products.

In the coming weeks and months, the Lottery will be designating a number of its agents to participate in an accessibility survey. A Lottery employee may visit your location to review the interior and exterior of your premises. This review will include the taking of measurements and photographs. If accessibility problems are identified as a result of this survey, the Lottery will notify each affected agent of the identified problem(s) and suggest ways in which they might be addressed so as to ensure disabled individuals access to Lottery products.

Your cooperation in this review process is expected and appreciated. If you have any questions or concerns on this matter, please do not hesitate to contact me.

Sincerely,



Elizabeth Day
Associate General Counsel
781-849-5535



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