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# 'Ladies' Night' Lawsuits on the Rocks?

The Age-Old Tradition Is Threatened by Lawsuits Nationwide



Lawyers across the country are targetting bars and nightclubs that offer 'Ladies' Night' drink and admission discounts to women, claiming that they are unlawful discrimination against men. (PhotoDisc)

By **BRITTANY BACON**  
July 25, 2007



Lawsuits could be putting "Ladies' Nights" at bars and clubs across the country on the rocks.

In about two dozen cases, plaintiffs contend these drink and admission deals for women constitute discrimination against men and should be banned.

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Roy Den Hollander is a New York lawyer who says Ladies' Night drinks and admission specials are unconstitutional, and he says he's suffered personally. Hollander is also a graduate of Columbia Business School and seems like a guy who should be able to get into a decent bar and afford the drinks. So what irks him?

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"I'm tired of having my rights violated and being treated as a second-class citizen," said Hollander, who is seeking class-action status for his suit in federal court.

Tim Gleason, general manager of the China Club in New York, calls Hollander's complaint "pathetic" and echoes other club owners who argue that the discounts actually help both sexes by balancing out the ratio between men and women. Nevermind that some men are more than happy to pay for inequality in the ratio department.

Over the last 30 years, lawsuits stemming from promotions involving Ladies' Night have enjoyed considerable success in courts across the country where judges have held that single-sex discounts violate state and federal statutes guaranteeing equal protection under the law.

George Washington University law professor John Banzhaf, whose students have brought a Ladies' Night suit, says that these promotions are part of a broader class of gender-based price discrimination tactics like those used by hairdressers and dry cleaners who charge men and women different prices for the same service.

In Washington, D.C., he hopes to pursue what he calls restroom equity or "squatter's rights" in which he will sue public venues whose restroom availability, though seemingly equal for both sexes, has a "disparate impact" on women who must deal with longer lines and wait times.

Nightclub spokespersons and activists express concern that a class-action victory in a Ladies' Night lawsuit based on federal law could open the floodgates to a host of other suits against private businesses.

### Kiss Ladies' Night Goodbye?

Hollander seeks to be the lead plaintiff and the representing attorney in a class-action suit against several Manhattan venues including the China Club, Copacabana Nightclub, A.E.R. Nightclub and Sol.

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