

Japanese eatery ends suit for \$25G

Black teenager says her race was reason she was not hired

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LARCHMONT — Matsumoto restaurant has agreed to pay a \$25,000 settlement to a black girl who said the establishment didn't hire her because of her skin color.

The family of Abby Brammer, 17, sued Matsumoto in federal court last year after the girl was not able to get a job there as a restaurant greeter. Late last month, both parties agreed to the \$25,000 settlement.

"We need to make sure employers understand there are consequences for discriminating on the basis of race," said Joshua Friedman, a Larchmont attorney for the Brammer family. "We don't want this happening again in our little town."

According to the lawsuit filed in the U.S. District Court in White Plains last summer, Brammer's white friend, Rebecca Kitsis, worked at Matsumoto but had to quit because of school. Kitsis told the restaurant's owner, Zhu Chang, that Brammer could take her place. But Kitsis said in the lawsuit Chang didn't want Brammer to work there because "people come into a Japanese restaurant and they expect it to be like Japanese."

"Rebecca, I'm not racist, OK? But this is about business," Kitsis claimed Chang told her. "I just don't think it

would be good if your friend worked here. See, this is a Japanese restaurant, you understand? So it's bad for business."

Chang did not want to comment on the lawsuit or the settlement. But he blamed the suit for hurting his business. "Business, it's terrible, terrible, terrible," he said. "In the past year, I lost 60 percent of my business."

He then made repeated pleas to a reporter to "write something nice about my restaurant so people will come here."

Under the settlement, Matsumoto will also be monitored for three years by the federal court "to use best efforts to promote diversity in their workforce." The settlement also says Matsumoto's decision to pay a settlement isn't an admission of guilt.

According to the lawsuit, Brammer would have made somewhere around \$10 an hour at the restaurant for around 24 hours a week. But even without accounting for taxes, Brammer's potential earnings in an entire year at that rate would have been less than half the \$25,000 settlement amount.

Friedman, who did the case pro bono for the Brammer family, said the figure should be seen as a "penalty for discriminating on the basis of race."

"It's a fairly modest number," Friedman said. "These cases frequently settle for well into six figures."

Friedman said a judge will decide by March 11 whether to approve the settlement.