



# FREEDOM FROM RELIGION FOUNDATION

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June 11, 2009

COPY

David Romero, Adel Ghalyoun and Jerry Rose  
Owners  
Poblano's Mexican Grill  
3900 Battleground Ave  
Greensboro NC 27410

Re: 15% "Church Bulletin" Discount

Dear Mr. Romero:

Thank you for speaking with me this morning about Poblano's "church bulletin" discount promotion offered at your restaurants on Sundays. I appreciate you taking the time to discuss this matter with me. I am writing this letter to confirm our agreement from this morning.

As we discussed over the phone, the discount offered to customers on Sundays presenting church bulletins to your restaurants violates the federal Civil Rights Act and Greensboro City Ordinance Art. VI Sec. 12-97. The Civil Rights Act states in relevant part, "All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation... without discrimination on the ground of race, color, religion, or national origin." 42 U.S.C. §2000a(a). As a place of "public accommodation," it is illegal for Poblano's to discriminate, or show favoritism, on the basis of religion. See 42 U.S.C. §2000a(b) (defining a place of public accommodation as "any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises...") The Greensboro city ordinance contains similar, if not the same, provisions. Poblano's restrictive promotional practice favors religious customers and denies customers who do not attend church, and nonbelievers the right to "full and equal" enjoyment of Poblano's.

As I advised you this morning, any promotions should be available to all customers regardless of religious preference or practice on a non-discriminatory basis. During our conversation, you confirmed that Poblano's Mexican Grill will no longer advertise— in broadcast (radio or television) or print advertisements (newspapers, church bulletins, etc)— a 15% discount to customers who present a church bulletin. Furthermore, you agreed to remove all postings on the "specials boards" about this promotion and advise all managers at the various Poblano's locations that this

promotion will no longer be offered. Any future promotions offered on Sundays will be offered to the public at large, and will not single out any one religious group. The coupon cards available at hostess stands in the restaurants are available to all customers and not just those attending church on Sundays. Poblano's will no longer send any bulk coupons to churches as a substitute for church bulletins unless those bulk coupons are made available or also sent to other secular groups in the Greensboro community. If offered, any discount on Sundays will be available to all interested customers in Greensboro regardless of religious preference or practice.

Thank you again for your time and attention to this matter. Should you have any additional questions or concerns, please feel free to contact me at 608/256-8900.

Sincerely,

A handwritten signature in black ink, appearing to read 'RSK', with a stylized flourish extending from the end.

Rebecca S. Kratz  
Staff Attorney