Press Releases

Sheppard Mullin Recovers Costs In ADA Website Case Brought By Pacific Trial Attorneys

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Over the last four years, there have been more than 6,000 cases filed against businesses alleging that their websites and mobile apps violate the Americans with Disability Act (ADA) because their websites and mobile apps cannot be read by screen readers used by the visually impaired. One of the plaintiff's firms filing many of these actions is Pacific Trial Attorneys. Late last year, Sheppard Mullin litigated a website case filed by Pacific Trial Attorneys for Abelardo Martinez against the San Diego County Credit Union. Mr. Martinez has filed a myriad of similar lawsuits all seeking to recover fees for Pacific Trial Attorneys.

In November, 2018, the San Diego County Superior Court granted a non-suit for the Credit Union in that case and dismissed all claims against concluding that neither the ADA nor California's Unruh Act applies to websites as a matter of law.

Last week, the Court ordered Mr. Martinez and Pacific Trial Attorneys to pay the Credit Union more than $3,400 in costs as the prevailing party.

Commenting on the case, "We hope that plaintiffs will take note of this result," said Sheppard Mullin partner Gregory F. Hurley. "Now we'll have to wait and see if a plaintiff being ordered to pay defense costs serves to slow the number of these cases being filed down."

The Sheppard Mullin team included partners Gregory F. Hurley and Michael J. Chilleen, and associate Brad Leimkuhler.

Click here to read Sheppard Mullin's previous press release.

Attorneys

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Practice Areas

Litigation