

# The ADA and the INTERNET

The Storm has Broken

September 2018



# Welcome to Crazy Town



ORNEYS  
NSELORS

## What's Different?

- Settlement value is not related to the merits of the lawsuit.
- Settlement value is not related to the injury suffered by the plaintiff.
- Litigation risk can only be marginally managed.
- Default may be the best defense.

**HUNT  
HUEY** | ATTORNEYS  
COUNSELORS



## Hints and declarations

July 31, 1996

The Honorable Tom Harkin  
United States Senate  
Washington, DC 20510-1502

Re: To what extent does the ADA require that Internet web pages be accessible to people with visual disabilities?

Dear Senator Harkin . . . .



## Rationales and explanations

- A non-physical procedure or service implicates the ADA if it acts as a barrier to access to a physical place.
- A non-physical procedure or service implicates the ADA if it is a service of a physical place or implicates the ADA's communication obligation
- The ADA simply has no requirement of a physical place.



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"Website Accessibility Lawsuits"