

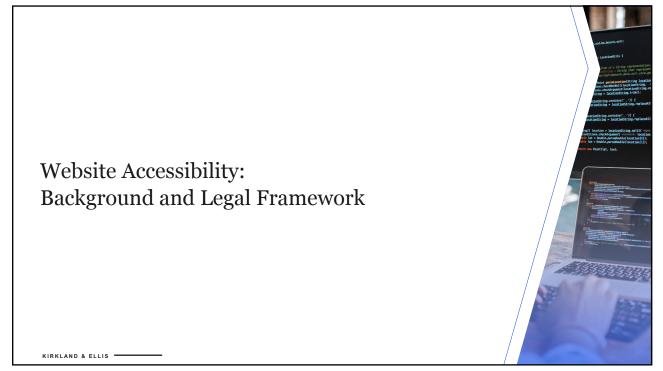
Agenda

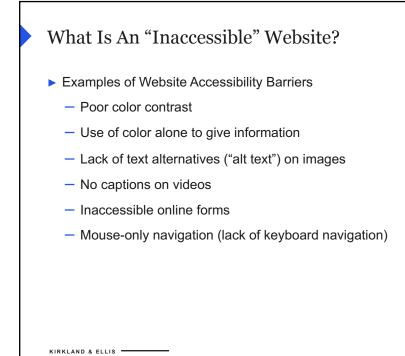
- 1. Website Accessibility Litigation
 - a. Background and Legal Framework
 - b. Recent Legal Trends

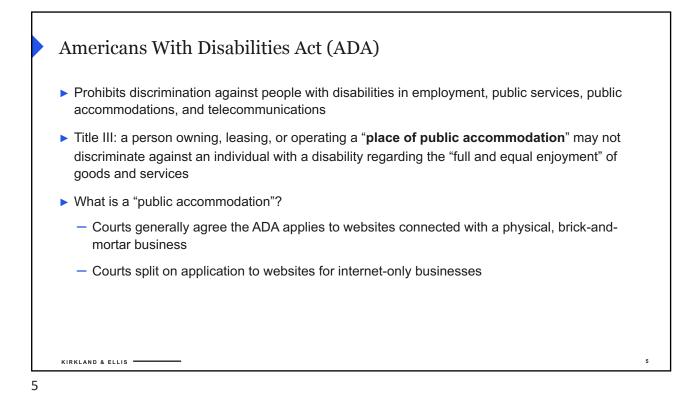
2. Website/Internet Privacy Litigation

- a. Background and Legal Framework
- b. Recent Legal Trends

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- California Unruh Civil Rights Act
 - All persons are entitled to full and equal accommodations, advantages, facilities, privileges, or services in all "business establishments of every kind whatsoever"
 - Two theories: (1) violation of ADA or (2) denial of access based on intentional discrimination
 - Applies to websites, even for out-of-state businesses, if sufficient sales to Californians
 - Unlike the ADA, which does not allow monetary damages, the Unruh Act allows recovery of up to 3x actual damages or at least \$4,000 per occurrence
 - Like the ADA, allows for recovery of attorney's fees
- New York State (and City) Human Rights Laws
 - Compensatory damages, civil penalties and fines, and attorney's fees





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Title search: Websites: Privacy and ADA Litigation

Also available as part of the eCourse <u>eSupplement to the 46th Annual Corporate Counsel Institute</u>

First appeared as part of the conference materials for the 36th Annual Technology Law Conference session "Websites: Privacy and ADA Litigation"