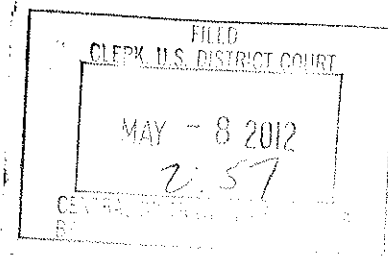


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Attorneys For Plaintiffs
Cari Shields, Amber Boggs and Class Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CARI SHIELDS, AMBER BOGGS
and TERESA STOCKTON, on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

WALT DISNEY PARKS AND
RESORTS US, INC., DISNEY
ONLINE, INC. and DOES 1-10,
INCLUSIVE,

Defendants.

Case No. CV 10-5810-DMG (FMOx)

**SECOND AMENDED COMPLAINT
FOR DECLARATORY AND
INJUNCTIVE RELIEF FOR
VIOLATIONS OF:**

1. THE AMERICANS WITH
DISABILITIES ACT (42 U.S.C.
§ 2131, *et seq.*)
2. THE UNRUH ACT (Cal. Civil
Code § 51, *et seq.*)
3. THE CDPA (Cal. Civil Code
§ 54.1, *et seq.*)

SECOND AMENDED CLASS ACTION COMPLAINT

COME NOW the Plaintiffs, CARI SHIELDS and AMBER BOGGS, on their own behalf and on behalf of all others similarly situated (Collectively known as "PLAINTIFFS"), and sue the Defendants, WALT DISNEY PARKS AND RESORTS U.S., INC., WALT DISNEY PARKS AND RESORTS ONLINE and DISNEY ONLINE (Collectively known as "DEFENDANTS") and allege:

INTRODUCTION

1. This action arises out of discriminatory practices by DEFENDANTS violating California statutes and common law, as well as federal law designed to protect individuals with a disability.
2. These practices include, *inter alia*, the denial of access to places of public accommodation and the discriminatory treatment given to individuals because of their physical disabilities.
3. As a result of these practices, the PLAINTIFF CLASSES were not able to benefit from the full use and enjoyment of DEFENDANTS' recreation facilities, theme parks, cruise line, hotels, restaurants and websites and were discriminated against on account of physical disability, i.e. visual impairment.

JURISDICTION AND VENUE

4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §1331 (2009), as one of the causes of action arises under federal law. Supplemental jurisdiction over the state law causes of action is proper in this Court pursuant to 28 U.S.C. §1367 (2009), and Rule 23 of the Federal Rules of Civil Procedure.
5. Venue for this action is proper in this Court pursuant to 28 U.S.C. §1391 (2009) because DEFENDANTS maintain corporate managerial business offices within the County of Los Angeles.
6. PLAINTIFFS bring this action on their own behalf and on behalf of all

persons within the PLAINTIFF CLASSES defined herein.

7. This action is brought by the PLAINTIFFS to enforce Title III of the Americans with Disabilities Act “ADA”, 42 U.S.C. §12131, *et seq.*, the Unruh Civil Rights Act, California Civil Code §51, *et seq.*, and the California Disabled Persons Act, California Civil Code §54 *et seq.* (CDPA).

PARTIES

PLAINTIFFS

8. Plaintiff Amber Boggs is an individual who, at all relevant times:

- a. Was a resident of the County of Los Angeles, State of California;
- b. Had a physical disability that affects her neurological and/or special sense organs and substantially limits major life activities, namely visual impairment;
- c. Was a person with a disability as that term is defined in 42 U.S.C. §12102 and the California Government Code Section 12926;
- d. Owned year-long passes to Disneyland and has regularly patronized the theme park facilities, restaurants, shops and websites operated by DEFENDANTS, and Disney Cruise Line, within the last two years;
- e. Had visited Disneyland with her service animal;
- f. Suffered discrimination by the DEFENDANTS;
- g. Was a member of all PLAINTIFF CLASSES alleged in paragraph 18;
- h. Intended to visit DEFENDANTS’ theme parks, cruise line, restaurants, and shops in California and/or Florida in the future as well as their websites.

9. Plaintiff Cari Shields is an individual who, at all relevant times:

- a. Was a resident of the County of Riverside, State of California;
- b. Had a physical disability that affects her neurological and/or special sense organs and substantially limits major life activities, namely visual impairment;

- c. Was a person with a disability as that term is defined in 42 U.S.C. §12102 and the California Government Code §12926;
- d. Owned year-long passes to Disneyland and has regularly patronized the theme park restaurants, and shops operated by DEFENDANTS in both Florida and California, and Disney Cruise Line, within the last two years;
- e. Had visited Disneyland in California and Disney World in Florida with her service animal including on or about November 1, 2009, when Ms. Shields reserved seating for 6:45 p.m. for the Character Dining at the Crystal Palace with "Winnie Pooh and Friends" at Walt Disney World Resort in Orlando, Florida, and was denied interaction with costumed Disney characters as part of her dining experience. Upon complaining to management and staff she was told by two cast members that it is Disney policy that characters are not allowed to interact with guests with service animals. She then went to guest services in the Magic Kingdom where she was told by two more cast members that it is DEFENDANTS' policy that characters are not allowed to interact with guests with service animals.
- g. Suffered discrimination by the Defendants.
- h. Was a member of all PLAINTIFF CLASSES alleged in paragraph 18;
- i. Intended to visit DEFENDANTS theme parks, cruise line, hotels, restaurants, and shops in California and/or Florida in the future.

DEFENDANTS

10. Defendant WALT DISNEY PARKS AND RESORTS, U.S. INC. ("PARKS") is a Florida corporation which at all times herein mentioned:

- a. Maintained its principal place of business in Orange County, Florida and is authorized to conduct business in the State of California and is conducting business in Los Angeles County in the City of Burbank.

1 b. Owns and operates and/or is the lessor or lessee of the Walt Disney
2 World Resort located in Orange and Osceola Counties in Florida. The
3 Walt Disney World Resort is comprised of theme parks, hotels,
4 restaurants, and shops, each of which are public accommodations.
5 PARKS also owns and operates and/or is the lessor or lessee of the
6 Disneyland/California Adventure in Anaheim, Orange County,
7 California. The Disneyland/California Adventure is similarly
8 comprised of theme parks, hotels, restaurants, and shops, each of
9 which are public accommodations.

10 c. Discriminated against the PLAINTIFF CLASSES by, *inter alia*:

- 11 1. Maintaining a policy of refusing to allow costumed Disney
12 characters to interact with visually impaired patrons with service
13 animals at the theme parks, hotels, restaurants, and shops at
14 Walt Disney World Resort in Florida and Disneyland/California
15 Adventure in California;
- 16 2. Failing to provide Braille signage and/or large print within the
17 aforementioned theme parks, hotels, restaurants, and shops, so
18 as to orient visually impaired patrons as to the location of rides,
19 restaurants and facilities;
- 20 3. Failing to provide schedules and menus in accessible alternative
21 formats such as Braille and/or large print; (2) Failure by Disney
22 employees to read in full, the menus upon request by visually
23 impaired patrons (3) Failing to provide Braille maps in a mobile
24 format; and (4) Failing to provide Braille maps in a reasonable
25 number of locations within the theme parks, hotels, restaurants,
26 and shops;
- 27 4. Providing auxiliary aids and services, specifically, audio
28 description devices which are designed to shut off automatically

1 after a given time interval but cannot be re-set by a visually
2 impaired user so as to render the device inaccessible;

3 5. Failing to provide reasonable accommodations to visually
4 impaired patrons using service animals by: (1) failing to provide
5 reasonable designated areas within the theme parks, hotels,
6 restaurants, and shops for service animals to defecate and (2)
7 charging visually impaired patrons using service animals a
8 \$20.00 fee for the use of kennel facilities; (3) locating the kennel
9 facilities outside of the theme parks; and (4) refusing to allow
10 service animals to be tied to any locations within the theme
11 parks while the visually impaired owner is using park rides;

12 6. Failing to provide reasonable accommodations to visually
13 impaired patrons by simultaneously refusing to provide a Disney
14 employee to assist a visually impaired patron and also requiring
15 visually impaired patrons to pay full price for a ticket for an aide
16 or attendant to serve the function of assisting the patron in
17 navigating around the theme parks;

18 7. Maintaining a policy at parades, such as the Main Street Electric
19 Parade, that only wheelchair users are allowed to use the area
20 designated for handicapped guests and not guests with other
21 disabilities such as visual impairments;

22 8. Renting lockers to park visitors which are inaccessible to
23 persons with visual impairments because the lockers: 1) utilize
24 an inaccessible touch screen; 2) have no attendant to assist the
25 visually impaired and 3) provide only a printed receipt with the
26 combination to open the rented locker;

27 9. Maintaining one or more websites including
28 www.disney.go.com that are not fully accessible for persons

1 with visual impairments utilizing screen reader software which
2 prevents PLAINTIFF CLASSES from enjoying equal access to
3 the DEFENDANTS' theme parks, cruise line, hotels, restaurants
4 and stores and the numerous goods, services and benefits
5 offered to the public through DEFENDANTS' websites;

6 10. Violating the following provisions of the Americans with
7 Disabilities Act Accessibility Guidelines ("ADAAG") at the
8 Disneyland's parking structure and parking lot: 4.6.2, 4.1.2,
9 4.1.3, 4.7.7, 4.29.2 and 4.29.5; all so as to violate the Americans
10 with Disabilities Act and Title 24 of the California Code of
11 Regulations.

12 11. Defendant WALT DISNEY PARKS AND RESORTS ONLINE
13 ("WDPRO") is a corporation which at all times herein mentioned:

14 a. Maintained its principal place of business in Los Angeles County,
15 California and is authorized to conduct business in the State of
16 California and is conducting business in Los Angeles County in the
17 City of Burbank.

18 b. Owns or operates various websites relating to the theme parks, hotels,
19 restaurants, and shops, each of which is a public accommodation, at
20 the Disneyland Resort in Anaheim, California and at the Walt Disney
21 World Resort in Florida, and relating to the Disney Cruise Line,
22 including www.disneyland.com, www.disneyworld.com and
23 www.disneycruise.com.

24 c. Discriminated against the PLAINTIFF CLASSES by, *inter alia*,
25 maintaining one or more websites, including www.disneyland.com,
26 www.disneyworld.com and www.disneycruise.com that are not fully
27 accessible for persons with visual impairments utilizing screen reader
28 software which prevents PLAINTIFF CLASSES from enjoying equal

1 access to the DEFENDANTS' theme parks, cruise line, hotels,
2 restaurants and stores and the numerous goods, services and benefits
3 offered to the public through DEFENDANTS' websites;

4 12. Defendant DISNEY ONLINE ("DISNEY ONLINE") is a California
5 corporation which at all times:

6 a. Maintained its principal place of business in Orange County, Florida
7 and is authorized to conduct business in the State of California and is
8 conducting business in Los Angeles County in the City of Burbank.

9 b. Owns or operates websites as part of the DEFENDANTS' business
10 plan to sells goods, services, and tickets and reservations to its theme
11 parks, hotels, restaurants and shops through its websites.

12 c. Discriminated against the PLAINTIFF CLASS by, *inter alia*,
13 maintaining one or more websites including www.disney.go.com that
14 are not fully accessible for persons with visual impairments utilizing
15 screen reader software which prevents PLAINTIFF CLASSES from
16 enjoying equal access to the DEFENDANTS' theme parks, cruise line,
17 hotels, restaurants and stores and the numerous goods, services and
18 benefits offered to the public through DEFENDANTS' website.

19 13. The true names and capacities, whether individual, corporate, partnership,
20 associate or otherwise of DEFENDANTS Does 1-10, inclusive, are unknown
21 to the PLAINTIFFS who therefore sue these DEFENDANTS by such
22 fictitious names pursuant to California Code of Civil Procedure Section 474.
23 PLAINTIFFS will seek leave to amend this Complaint to allege the true
24 names and capacities of Does 1 through 10, inclusive, when they are
25 ascertained.

26 14. PLAINTIFFS are informed and believe, and based upon that information and
27 belief allege, that each of the DEFENDANTS named in this Complaint,
28 including Does 1 through 10, inclusive, are responsible in some manner for

one or more of the events and happenings that proximately caused the injuries and damages hereinafter alleged.

15. PLAINTIFFS are informed and believe, and based upon that information and belief allege, that each of the DEFENDANTS named in this Complaint, including Does 1 through 10, inclusive, acted in concert with respect to the acts and omissions alleged hereinafter and to all appearances, DEFENDANTS and each of them represented a united body so that the actions of one DEFENDANT were accomplished in concert with, and with knowledge, ratification, authorization and approval of each of the other DEFENDANTS.

16. PLAINTIFFS are informed and believe, and based upon that information and belief allege, that each of the DEFENDANTS named in this complaint, including Does 1 through 10, inclusive, is and at all times mentioned herein was, the agent, servant and/or employee of each of the other DEFENDANTS and that each DEFENDANT was acting within the course and scope of his, her or its authority as the agent, servant and/or employee of each of the other DEFENDANTS. Consequently, all of the DEFENDANTS are jointly and severally liable to the PLAINTIFFS for the damages sustained as a proximate result of their conduct.

17. At all times set forth herein, the acts and omissions of each DEFENDANT caused, led and/or contributed to the various acts and omissions of each and all of the other DEFENDANTS, legally causing PLAINTIFFS' injuries and damages as set forth.

CLASS REPRESENTATION ALLEGATIONS

Definition of the Alleged Class

18. This action consists of the following PLAINTIFF CLASSES who are residents of the United States:

a. The Website Class: All individuals with visual impairments

1 who (a) have a disability, as that term is defined in 42 U.S.C. §12102,
2 and (b) have been or will be unable to gain equal access to or
3 enjoyment of one or more of the websites owned or operated by
4 DEFENDANTS such as www.disney.go.com, www.disneyland.com,
5 www.disneyworld.com, and www.disneycruise.com as a result of their
6 visual disability.

7 b. The Effective Communication Class: All individuals with
8 visual impairments who (a) have a disability, as that term is defined in
9 42 U.S.C. §12102, and (b) have been or will be denied equal access to
10 or enjoyment of the Disney Parks because of (i) the absence of maps in
11 an alternative format, or (ii) the absence of menus in an alternative
12 format, or (iii) the absence of schedules of events at the Disney Parks
13 in an alternative format, or (iv) inadequate or inconsistent operation of
14 the audio description service on the Handheld Device, or (v) Disney's
15 refusal to provide a free or discounted pass to their sighted
16 companions, or (vi) the failure to be read, in full, the menus, maps or
17 schedules of events at the Disney Parks.

18 (c) The Service Animal Class: All individuals with visual
19 impairments who (a) have a disability, as that term is defined in 42
20 U.S.C. §12102, and (b) have been or will be denied equal access to or
21 enjoyment of the Disney Parks because of (i) the fee charged for the
22 use of a kennel for their service animal, or (ii) the absence of
23 reasonably-designated service animal relief areas, or (iii) the absence
24 of a location to kennel their service animal at attractions that do not
25 allow service animals, or (iv) the lack of equal interaction with Disney
26 employees who portray Disney characters because the individuals with
27 visual impairments are accompanied by service animals.
28

(d) The Infrastructure Class: All individuals with visual impairments who (a) have a disability, as that term is defined in 42 U.S.C. §12102, and (b) have been or will be denied equal access to or enjoyment of the Disney Parks because of (i) physical barriers to access, or (ii) the lack of reasonable modifications to Disney's policies and practices to permit such equal access or enjoyment. Among other things, the members of this class have been or will be denied equal access to or enjoyment of the parade viewing areas at the Disneyland Resort and the Walt Disney World Resort, and to public lockers or parking lots at the Disneyland Resort.

Maintenance of the Action

19. PLAINTIFFS bring this action individually and on behalf of themselves and as representatives of all similarly situated persons, pursuant to California Code of Civil Procedure Section 382, and the provisions of Rule 23 of the Federal Rules of Civil Procedure.

Class Action Allegations

20. At all material times, PLAINTIFF SHIELDS was and is a member of all PLAINTIFF CLASSES described in paragraph 18. At all material times, PLAINTIFF BOGGS was and is a member of all PLAINTIFF CLASSES described in paragraph 18.

21. This Class Action meets the statutory prerequisites for the maintenance of a Class Action as set forth in California Code of Civil Procedure Section 382, and the provisions of Rule 23 of the Federal Rules of Civil Procedure in that:

a. In 2008, the Social Security Administration estimated there were in excess of 6.3 million persons visually impaired and over the age of 18 in the United States. According to the Disney Vacation Tips website, the daily attendance at Disneyland in Anaheim is 4,000. Additionally, according to the Themed Entertainment Association/Economic

1 Research Associates Attraction Attendance Report 2008, the Magic
2 Kingdom/Disney World Resort in Florida had over 17 million visitors
3 in 2008 while Disneyland/California Adventure had over 14 million
4 visitors in 2008. While the number of visitors with visual impairments
5 cannot be precisely calculated, it is reasonable to estimate that
6 thousands of visitors were visually impaired among the 14 million who
7 visited Disneyland in Anaheim in 2008. As such, the class of qualified
8 individuals who are visually impaired and have visited either
9 Disneyland/California Adventure in California and/or Walt Disney
10 World Resort in Florida, or have attempted to access DEFENDANTS'
11 websites is so numerous that joinder of all members is impracticable.

12 b. Nearly all factual, legal, statutory, declaratory and injunctive relief
13 issues that are raised in this Complaint are common to the PLAINTIFF
14 CLASSES and will apply uniformly to each member of the
15 PLAINTIFF CLASSES. There are questions of law and fact common
16 to the class. The Unruh Civil Rights Act and California Public
17 Accommodations law requires that public accommodations, such as
18 the ones operated by DEFENDANTS, be accessible to persons with
19 disabilities, which is a question of law common to all members of the
20 class. The failure of DEFENDANTS to provide accommodations and
21 remove policies that discriminate against persons with disabilities
22 presents a question of fact common to all members of the class.
23 Furthermore, the primary relief that the class is seeking is equitable in
24 nature, in that the class is asking for final injunctive relief asking that
25 DEFENDANTS provide accommodations and discontinue
26 discriminating policies in their theme parks, restaurants, hotels, and
27 other facilities it operates. Furthermore, prosecutions of separate
28 actions would create the risk of inconsistent or varying adjudications

1 with respect to individual members of the class which would establish
2 incompatible standards of conduct for the DEFENDANTS.

3 c. PLAINTIFFS' claims are typical of the claims of the class of persons
4 with disabilities that sustained and continue to sustain injuries arising
5 out of the DEFENDANTS' conduct or omissions in violation of state
6 and federal law as complained of herein. PLAINTIFFS, like all other
7 members of the Class, claim that DEFENDANTS violated the ADA
8 and California Statutes by discriminating against persons with
9 disabilities and excluding the PLAINTIFFS, and other similarly
10 situated persons, from full and equal enjoyment of the goods, services,
11 programs, facilities, privileges, advantages, or accommodations of
12 DEFENDANTS' theme parks, cruise line, restaurants, hotels, websites
13 and other facilities they operates; and subjecting PLAINTIFFS to
14 discrimination by denying, segregated or excluding visually impaired
15 guests from enjoying their facilities and other goods, services,
16 programs, privileges, advantages or accommodations to the
17 PLAINTIFFS, as well as other similarly situated persons.

18 d. PLAINTIFFS' claims will fairly and adequately protect the interests of
19 the PLAINTIFF CLASSES, and have retained counsel competent and
20 experienced in class action litigation. SHIELDS and BOGGS have no
21 interests antagonistic to, or in conflict with, those of the Plaintiff
22 Classes. Counsel for the Classes will vigorously assert the claims of
23 all Members of the PLAINTIFF CLASSES.

24 e. Moreover, judicial economy will be served by the maintenance of this
25 lawsuit as a class action, in that it is likely to avoid the burden which
26 would be otherwise placed upon the judicial system by the filing of
27 thousands of similar suits by disabled people across the country.

28 f. Class action treatment of these claims will avoid the risk of

1 inconsistent or varying adjudications with respect to individual
2 members of the PLAINTIFF CLASSES which would establish
3 incompatible standards of conduct for the parties opposing the
4 PLAINTIFF CLASSES. There are no obstacles to effective and
5 efficient management of this lawsuit as a class action.

6 g. The parties opposing the PLAINTIFF CLASSES have acted or refused
7 to act on grounds generally applicable to the PLAINTIFF CLASSES,
8 thereby making appropriate final injunctive relief or corresponding
9 declaratory relief with respect to the PLAINTIFF CLASSES as a
10 whole; or

11 h. Common questions of law and fact exist as to the members of the
12 PLAINTIFF CLASSES and predominate over any questions affecting
13 only individual members, and a class action is superior to other
14 available methods for the fair and efficient adjudication of the
15 controversy, in consideration of:

16 i. The interests of the members of the PLAINTIFF CLASSES in
17 individually controlling the prosecution or defense of separate
18 actions;

19 ii. The extent and nature of any litigation concerning the
20 controversy already commenced by or against members of the
21 PLAINTIFF CLASSES;

22 iii. The desirability or undesirability of concentrating the litigation
23 of the claims in the particular forum; and

24 iv. The difficulties likely to be encountered in the management of a
25 class action.

26 22. This Court should permit this action to be maintained as a class action
27 pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure because:

28 a. The questions of law and fact common to the PLAINTIFF CLASSES

- 1 predominate over any questions affecting only individual members;
- 2 b. A Class Action is superior to any other available method for the fair
- 3 and efficient adjudication of the claims of the members of the
- 4 PLAINTIFF CLASSES;
- 5 c. PLAINTIFFS and the other members of the PLAINTIFF CLASSES
- 6 will not be able to obtain effective and economic legal redress unless
- 7 the action is maintained as a Class Action; and
- 8 d. There is a community of interest in obtaining appropriate legal and
- 9 equitable relief for the common law and statutory violations and other
- 10 improprieties which DEFENDANTS' actions have inflicted upon the
- 11 PLAINTIFF CLASSES; and
- 12 23. PLAINTIFFS contemplate the eventual issuance of notice to the proposed
- 13 class members of each of the PLAINTIFF CLASSES which would set forth
- 14 the subject and nature of the instant action. The DEFENDANTS' own
- 15 business records may be utilized for assistance in the preparation and
- 16 issuance of the contemplated notices. To the extent that any further notices
- 17 may be required, PLAINTIFFS would contemplate the use of additional
- 18 media and/or mass mailings.
- 19 24. Among the many questions of law and fact common to the class are:
- 20 a. Whether the DEFENDANTS and its entities maintained a policy of
- 21 refusing to allow costumed Disney characters to interact with visually
- 22 impaired patrons with service animals at DEFENDANTS theme parks
- 23 and properties at the Walt Disney World Resort in Florida and
- 24 Disneyland/California Adventure in California;
- 25 b. Whether the DEFENDANTS and its entities failed to provide Braille
- 26 signage and/or large print within the theme parks so as to orient
- 27 visually impaired patrons as to the location of rides, restaurants and
- 28 facilities;

- c. Whether the DEFENDANTS and its entities failed to provide schedules and menus in accessible alternative formats such as Braille and/or large print;
- d. Whether the DEFENDANTS and its entities failed to read the menus, in full, to visually impaired patrons upon request;
- e. Whether the DEFENDANTS failed to provide Braille maps in a portable format;
- f. Whether DEFENDANTS failed to provide Braille maps at a reasonable number of locations within the theme parks;
- g. Whether the audio description devices are reasonably accessible to the visually impaired;
- h. Whether it was lawful for the DEFENDANTS to charge a \$20 fee for the use of kennel facilities at the park for service animals;
- i. Whether the DEFENDANTS were legally required to have designated areas within the theme parks for service animals to defecate or to be tied up while visually impaired owners used the rides;
- j. Whether DEFENDANTS are legally required to provide a free or discounted ticket to the aid or companion of a visually impaired visitor to the theme parks as a reasonable accommodation;
- k. Whether DEFENDANTS and its entities maintained a policy at parades, such as the Main Street Electric Parade, that only wheelchair users are allowed to use the area designated for handicapped guests and not guests with other disabilities such as visual impairments;
- l. Whether it was lawful for DEFENDANTS and its entities to rent lockers for use to guests which are inaccessible to persons with visual impairments because the lockers: 1) utilize an inaccessible touch screen; 2) have no attendant to assist the visually impaired and 3) provide only a printed receipt with the combination to open the rented

1 locker;

2 m. Whether DEFENDANTS maintain one or more websites including
3 www.disney.go.com, www.disneyland.com, www.disneyworld.com
4 and www.disneycruise.com that are not fully accessible for persons
5 with visual impairments utilizing screen reader software which prevent
6 persons with visual impairments from enjoying equal access to the
7 DEFENDANTS' theme parks, cruise line, hotels, restaurants and
8 stores and the numerous goods, services and benefits offered to the
9 public through DEFENDANTS' websites;

10 n. Whether DEFENDANTS' parking structure and parking lot in
11 Disneyland violates one or more of the following ADAAG provisions:
12 4.6.2, 4.1.2, 4.1.3, 4.7.7, 4.29.2 and 4.29.5;

13 o. Whether DEFENDANTS violated California Civil Code §51 *et seq.* in
14 failing to provide full and equal access to disabled persons with
15 visually impairments;

16 p. Whether DEFENDANTS violated California Civil Code §54 *et seq.* in
17 failing to provide full and equal access to disabled persons with visual
18 impairments; and

19 q. Whether DEFENDANTS violated the Americans with Disabilities Act
20 in failing to provide full and equal access to disabled persons with
21 visual impairments.

22 25. As to the issues raised in this case, a class action is superior to all other
23 methods for the fair and efficient adjudication of this controversy, since
24 joinder of all class members is impracticable. Class members reside
25 anywhere in the country. It is essential that many legal and factual questions
26 be adjudicated uniformly to all class members. Further, as the economic or
27 other loss suffered by vast numbers of class members may be relatively
28 small, the expense and burden of individual actions make it difficult for the

1 class members to individually redress the wrongs they have suffered.

2 26. Moreover, in the event disgorgement is ordered, a class action is the only
3 mechanism that will permit the employment of a fluid fund recovery to
4 insure that equity is achieved. There will be relatively little difficulty in
5 managing this case as a class action.

6 27. Class action treatment is superior to other available methods for a fair and
7 efficient adjudication of the claims presented by this complaint and would
8 reduce the financial, administrative and procedural burdens on the parties and
9 on the Court which individual action would otherwise impose.

10 **THE AMERICANS WITH DISABILITIES ACT**

11 **History & Purpose**

12 28. In 1990, the United States Congress made findings regarding physically
13 disabled persons, finding that laws were needed to more fully protect “some
14 43 million Americans [with] one or more physical or mental disabilities”;
15 that “historically society has tended to isolate and segregate individuals with
16 disabilities”; and that “such forms of discrimination against individuals with
17 disabilities continue to be a serious and pervasive social problem”; that “the
18 Nation’s proper goals regarding individuals with disabilities are to assure
19 equality of opportunity, full participation, independent living and economic
20 self sufficiency for such individuals”; and that “the continuing existence of
21 unfair and unnecessary discrimination and prejudice denies people with
22 disabilities the opportunity to compete on an equal basis and to pursue those
23 opportunities for which our free society is justifiably famous....” 42 U.S.C.
24 §12101.

25 **STATUTORY PROTECTION FOR DISABLED PERSONS**

26 **Public Accommodations**

27 29. Title III of the ADA establishes the general rule that:

28 No individual shall be discriminated against on the basis of disability

1 in the full equal enjoyment of the goods, services, facilities, privileges,
2 advantages or accommodations by any person who owns, leases, or
3 operates a place of public accommodation. 42 U.S.C. §12182 (a).

4 30. The ADA defines “discrimination” to include:

5 A failure to make reasonable modifications in policies, practices or
6 procedures, when such modifications are necessary to afford such
7 goods, services, facilities, privileges, advantages, or accommodations
8 to individuals with disabilities, unless the entity can demonstrate that
9 making such modification would fundamentally alter the nature of
10 such goods, services, facilities, privileges, advantages or
11 accommodations. 42 U.S.C. §12182 (b)(2)(A)(ii).

12 31. The regulations promulgated by the United States Department of Justice
13 provide:

14 Denial of participation. A public accommodation shall not subject an
15 individual or class of individuals on the basis of a disability or
16 disabilities of such individual or class, directly, or through contractual,
17 licensing, or other arrangements, to a denial of the opportunity of the
18 individual or class to participate in or benefit from the goods, services,
19 facilities, privileges, advantages, or accommodations of a place of
20 public accommodation. 28 C.F.R. §36.202(a)

21 Participation in unequal benefit. A public accommodation shall not
22 afford an individual or class of individuals, on the basis of a disability
23 or disabilities of such individual or class, directly, or through
24 contractual, licensing, or other arrangements, with the opportunity to
25 participate in or benefit from a good, service, facility, privilege,
26 advantage, or accommodation that is not equal to that afforded to other
27 individuals. 28 C.F.R. §36.202(b).

28 Separate benefit. A public accommodation shall not provide an

individual or class of individuals, on the basis of a disability or disabilities of such individual or class, directly, or through contractual, licensing, or other arrangements with a good, service, facility, privilege, advantage, or accommodation that is different or separate from that provided to other individuals, unless such action is necessary to provide the individual or class of individuals with a good, service, facility, privilege, advantage, or accommodation, or other opportunity that is as effective as that provided to others. 28 C.F.R. §36.202(c).

32. Furthermore, the regulations provide for service animals which state:

Service animals. Generally, a public accommodation shall modify policies, practices, or procedures to permit the use of a service animal by an individual with a disability. 28 C.F.R. §36.302(c).

33. Additionally, 42 U.S.C.A. §12181 (6) defines "private entity" as "any entity other than a public entity" and §12181 (7) defines "public accommodation" in part:

The following private entities are considered public accommodations for purposes of this sub-chapter, if the operations of such entities affect commerce:

- a. an inn, hotel, motel, or other place of lodging, except for an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of such establishment as the residence of such proprietor;
- b. a restaurant, bar, or other establishment serving food or drink;
- c. a motion picture house, theater, concert hall, stadium, or other place of exhibition entertainment;
- d. a park, zoo, amusement park, or other place of recreation;
- e. a terminal, depot, or other station used for specific public

1 transportation.

2 34. Further, 42 U.S.C.A. §12182 "Prohibition of discrimination by public
3 accommodations" states, in part, the following:

4 a. General rule. No individual shall be discriminated against on the basis
5 of disability in the full and equal enjoyment of the goods, services,
6 facilities, privileges, advantages, or accommodations of any place of
7 public accommodation by any person who owns, leases (or leases to),
8 or operates a place of public accommodation.

9 2. Specific prohibitions (in part):

10 (A) Discrimination-For purposes of subsection (a) of this
11 section, discrimination includes:

12 (ii) a failure to make reasonable modifications in
13 policies, practices, or procedures, when such
14 modifications are necessary to afford such goods,
15 services, facilities, privileges, advantages, or
16 accommodations to individuals with disabilities,
17 unless the entity can demonstrate that making such
18 modifications would fundamentally alter the nature
19 of such goods, services, facilities, privileges,
20 advantages, or accommodations;

21 (iii) a failure to take such steps as may be necessary to
22 ensure that no individual with a disability is
23 excluded, denied services, segregated or otherwise
24 treated differently than other individuals because of
25 the absence of auxiliary aids and services, unless
26 the entity can demonstrate that taking such steps
27 would fundamentally alter the nature of the good,
28 service, facility, privilege, advantage, or

accommodation being offered or would result in an undue burden.

THE UNRUH CIVIL RIGHTS ACT

35. §51 of the California Civil Code, "The Unruh Civil Rights" Act provides protection from discrimination by all business establishments in California, including housing and public accommodations, because of age, ancestry, color, disability, national origin, race, religion, sex and sexual orientation.

36. Specifically, §51 (b) provides that:

All persons within the jurisdiction of this State are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

37. Further, §51.5 (a) provides that:

No business establishment of any kind whatsoever shall discriminate against, boycott or blacklist, or refuse to buy from, contract with, sell to, or trade with any person in this state on account of any characteristic listed or defined in subdivision (b) or (c) of §51, or of the person's partners, members, stockholders, directors, officers, managers, superintendents, agents, employees, business associates, suppliers, or customers, because the person is perceived to have one or more of those characteristics, or because the person is associated with a person who has, or is perceived to have, any of those characteristics.

38. Additionally, §51 (f) provides that:

A violation of the right of any individual under the Americans with Disabilities Act shall also constitute a violation of this section.

CALIFORNIA CIVIL CODE §§54 THROUGH 55.2

1 39. California Civil Code §54 (a) states that:

2 Individuals with disabilities or medical conditions have the same right
3 as the general public to the full and free use of the streets, highways,
4 sidewalks, walkways, public buildings, medical facilities, including
5 hospitals, clinics, and physicians' offices, public facilities, and other
6 public places.

7 40. Further, California Civil Code §54.1 (a) (1) states:

8 Individuals with disabilities shall be entitled to full and equal access, as other
9 members of the general public, to accommodations, advantages,
10 facilities, medical facilities, including hospitals, clinics, and
11 physicians' offices, and privileges of all common carriers, airplanes,
12 motor vehicles, railroad trains, motor buses, streetcars, boats, or any
13 other public conveyances or modes of transportation (whether private,
14 public, franchised, licensed, contracted, or otherwise provided),
15 telephone facilities, adoption agencies, private schools, hotels, lodging
16 places, places of public accommodation, amusement, or resort, and
17 other places to which the general public is invited, subject only to the
18 conditions and limitations established by law, or state or federal
19 regulation, and applicable alike to all persons.

20 41. Additionally, §54.1 (a) (3) states:

21 "Full and equal access," for purposes of this section in its application
22 to transportation, means access that meets the standards of Titles II and
23 III of the Americans with Disabilities Act of 1990 (Public Law 101
24 336) and federal regulations adopted pursuant thereto, except that, if
25 the laws of this state prescribe higher standards, it shall mean access
26 that meets those higher standards.

27 42. Further, §54.1 (d) states:

28 A violation of the right of an individual under the Americans with

Disabilities Act also constitutes a violation of this section, and nothing in this section shall be construed to limit the access of any person in violation of that act.

43. California Civil Code §54.2 states:

(a) Every individual with a disability has the right to be accompanied by a guide dog, signal dog, or service dog, especially trained for the purpose, in any of the places specified in Section 54.1 without being required to pay an extra charge or security deposit for the guide dog, signal dog, or service dog. However, the individual shall be liable for any damage done to the premises or facilities by his or her dog.

44. Finally, California Civil Code §54.4 states:

A blind or otherwise visually impaired pedestrian shall have all of the rights and privileges conferred by law upon other persons in any of the places, accommodations, or conveyances specified in Sections 54 and 54.1, notwithstanding the fact that the person is not carrying a predominantly white cane (with or without a red tip), or using a guide dog.

GENERAL ALLEGATIONS COMMON TO ALL COUNTS

45. The DEFENDANTS collectively operate theme parks and a cruise line in California and Florida which have millions of visitors annually. Furthermore, DEFENDANTS operate websites including www.disney.go.com, www.disneyland.com, www.disneyworld.com and www.disneycruise.com for the purposes of assisting guests with purchasing tickets to the products and services offered by DEFENDANTS, advertising the products and services of DEFENDANTS, providing interactive content for children, and providing other online services to promote DEFENDANTS. Due to DEFENDANTS' failure to remove access barriers to the websites mentioned above, persons with visual impairments are prevented from enjoying equal

1 access to DEFENDANTS' theme parks, cruise line, hotels, restaurants and
2 stores and the numerous goods, services and benefits offered to the public
3 through DEFENDANTS' websites.

4 46. PLAINTIFFS are visually impaired individuals who each own yearly passes
5 to Disneyland/California Adventure in Anaheim and visit it frequently.
6 Plaintiff SHIELDS has also visited the Walt Disney World Resort in Florida.
7 PLAINTIFFS utilize guide dogs to assist them on a daily basis.

8 47. DEFENDANTS' theme parks, cruise line, hotels, restaurants and shops,
9 connected with its websites, are public accommodations and PLAINTIFFS
10 visit these facilities with the expectation of being treated with the rights and
11 dignities guaranteed them by California law. Due to their visual impairments
12 and physical disabilities, however, PLAINTIFFS have suffered consistent
13 discrimination at the hands of DEFENDANTS and their affiliated companies
14 and employees.

15 48. As a member of the Disney Service Animal Class, PLAINTIFF SHIELDS
16 was subjected to public humiliation and discrimination in being ignored at
17 the restaurant, when an essential element of the dining experience was the
18 interaction with the costumed Disney character. Two of these characters
19 articulated the restaurant policy of not interacting with patrons using service
20 animals. Whether this policy is driven by malice, ignorance or simply fear, it
21 is a violation of California and federal law.

22 49. As members of the Service Animal Class, PLAINTIFFS have been denied
23 reasonable accommodations for their service animals because in order to use
24 the kennel at all they must pay a \$20.00 fee. Furthermore, the kennel is
25 located outside of the theme parks so as to be extremely inconvenient when
26 using the rides. Moreover, the policy of requiring that the animal be with
27 someone at all times means that a visually impaired visitor has no where to
28 leave the service animal while using certain rides. Universal Studios, a

1 competing theme park, however, does not have such obstructions at its
2 respective theme parks. Finally, there are no reasonable designated areas for
3 the animal to relieve itself at the theme parks, hotels, restaurants, and shops.

4 50. As members of the Effective Communication Class, PLAINTIFFS have been
5 discriminated against due to the lack of Braille signage, in addition to a lack
6 of alternate communications for the visually impaired such as Braille and/or
7 large print with respect to schedules and menus at the theme parks, hotels,
8 restaurants, and shops. Additionally, PLAINTIFFS have been discriminated
9 against due to DEFENDANTS' and its entities' failure to read, in full, the
10 menus upon request by visually impaired patrons.

11 51. As members of the Effective Communication Class, PLAINTIFFS have been
12 deterred from fully utilizing DEFENDANTS' audio description device due to
13 a design defect. Once the device shuts off automatically, a visually impaired
14 user cannot re-set the device and must return to the guest services department
15 to have it re-set.

16 52. As members of the Effective Communication Class, PLAINTIFFS have
17 experienced discrimination based on the fact that only one permanent Braille
18 map is available at the theme parks in one location at Guest Relations. No
19 portable Braille maps are available at the theme parks, hotels, restaurants,
20 and shops.

21 53. As members of the Effective Communication Class, PLAINTIFFS have
22 experienced discrimination due to DEFENDANTS' failure to provide the
23 necessary accommodations for a visually impaired individual to be oriented
24 in the theme parks. The lack of reasonable accommodations, in combination
25 with the DEFENDANTS' policy of not providing an employee to assist a
26 visually impaired person, forces a visually impaired person to bring and pay
27 full price for a companion to fully utilize the park facilities. Universal
28 Studios, a competing theme park, however, allows the visually impaired

1 guest in at no cost and requires the companion to pay pull price.

2 54. As members of the Park Infrastructure Class, PLAINTIFFS have experienced
3 discrimination due to DEFENDANTS maintaining a policy at parades, such
4 as the Main Street Electric Parade, that only wheelchair users are allowed to
5 use the area designated for handicapped guests and not guests with other
6 disabilities such as visual impairments.

7 55. As members of the Park Infrastructure Class, PLAINTIFF have experienced
8 discrimination by DEFENDANTS renting lockers for use to guests which are
9 inaccessible to persons with visual impairments because the lockers: 1)
10 utilize an inaccessible touch screen; 2) have no attendant to assist the visually
11 impaired and 3) provide only a printed receipt with the combination to open
12 the rented locker.

13 56. As members of the Website Class, PLAINTIFFS have experienced
14 discrimination due to DEFENDANTS maintaining one or more websites
15 including www.disney.go.com, www.disneyland.com,
16 www.disneyworld.com and www.disneycruise.com that are not fully
17 accessible for persons with visual impairments utilizing screen reader
18 software.

19 57. As members of the Infrastructure Class, PLAINTIFFS have experienced
20 discrimination in that, DEFENDANTS parking structure and parking lot at
21 Disneyland violate the following provisions of the ADAAG: 4.6.2, 4.1.2,
22 4.1.3, 4.7.7, 4.29.2 and 4.29.5; all so as to violate the Americans with
23 Disabilities Act and Title 24 of the California Code of Regulations.

24 **FIRST CAUSE OF ACTION**

25 **For a Violation of the Americans with Disabilities Act**

26 **42 U.S.C. §12131, et. seq.**

27 **(by All Plaintiffs and Against All Defendants)**

28 58. PLAINTIFFS re-allege and incorporate by reference, as though fully set forth

herein, paragraphs 1 through 57 of this Complaint.

59. DEFENDANTS have discriminated against PLAINTIFFS by denying them full and equal access to the benefits, privileges and public accommodations afforded to other patrons solely on account of disability. In addition, the DEFENDANTS have violated the ADA by failing or refusing to provide PLAINTIFFS with reasonable accommodations and other services related to their disability.

60. PLAINTIFFS, upon information and belief, allege that DEFENDANTS, their employees and agents have failed and continue to fail to:

a. Provide necessary accommodations, modifications and services to provide equal access to the facilities within its theme parks, cruise line, hotels, restaurants, and shops in Florida and California so as to allow the visually impaired to participate on an equal basis in activities, rides, restaurants and programs;

b. Provide the necessary training and discipline to its employees as to the legal obligation of a public accommodation to provide full and equal service to persons with disabilities under the ADA and other relevant state statutes, including California Civil Code 51 *et seq.* and Civil Code Section 54 *et seq.*

61. PLAINTIFFS have been subjected to the denial, separate and unequal opportunity to participate in the DEFENDANTS services, facilities, privileges, advantages, or accommodations as a result of the DEFENDANTS discriminatory policy of not allowing characters to interact with visually impaired persons who have their service animal with them.

62. As a direct and proximate result of the aforementioned acts, PLAINTIFFS have suffered and continue to suffer from the lack of character interaction due to DEFENDANTS' failure to address the services, facilities, privileges, advantages or accommodations that should be given to persons similarly

1 situated as SHIELDS and BOGGS.

2 63. Due to the continuous nature of DEFENDANTS' discriminatory conduct,
3 which is ongoing, declaratory and injunctive reliefs are appropriate remedies.
4 Moreover, as a result of DEFENDANTS' actions PLAINTIFFS are suffering
5 irreparable harm, and thus immediate relief is appropriate. PLAINTIFFS are
6 entitled to reasonable attorneys' fees and costs in filing this action. 42
7 U.S.C.A. § 12205, as prayed below.

8 **SECOND CAUSE OF ACTION**

9 **For a Violation of the Unruh Civil Rights Act**

10 **California Civil Code §51 and 52 *et seq.***

11 **(by All Plaintiffs and Against All Defendants)**

12 64. PLAINTIFFS re-allege and incorporate by reference, as though fully set forth
13 herein, paragraphs 1 through 63 of this Complaint.

14 65. §51 of the California Civil Code, "The Unruh Civil Rights" Act provides
15 protection from discrimination by all business establishments in California,
16 including housing and public accommodations, because of age, ancestry,
17 color, disability, national origin, race, religion, sex and sexual orientation.

18 66. §52 of the California Civil Code provides that whoever denies, aids or incites
19 a denial, or makes any discrimination or distinction contrary to §51 is liable
20 for each and every offense.

21 67. Through the acts and omissions described herein, DEFENDANTS have
22 violated California Civil Code §51.

23 68. Pursuant to California Civil Code §51 (f), a violation of the ADA also
24 constitutes a violation of California Civil Code §51 *et seq.*

25 69. The DEFENDANTS are a "business establishment" within the meaning of
26 the California Code §51 *et seq.*

27 70. DEFENDANTS have violated the law by denying PLAINTIFFS full and
28 equal access to its program comparable to access that it offers to others.

71. As a direct and proximate result of the aforementioned acts, PLAINTIFFS have suffered, and continue to suffer hardship and anxiety due to DEFENDANTS' failure to address accommodations and access required for PLAINTIFFS' disabilities.

72. Due to the continuous nature of DEFENDANTS' discriminatory conduct, which is ongoing, declaratory and injunctive reliefs are appropriate remedies. Moreover, as a result of DEFENDANTS' actions PLAINTIFFS are suffering irreparable harm, and thus immediate relief is appropriate. PLAINTIFFS are entitled to reasonable attorneys' fees and costs in filing this action. California Civil Code §52, as prayed below.

THIRD CAUSE OF ACTION

For a Violation of the California Public Accommodations Law

California Civil Code §54 et. seq.

(by All Plaintiffs and Against All Defendants)

73. PLAINTIFFS re-allege and incorporate by reference, as though fully set forth herein, paragraphs 1 through 72 of this Complaint.

74. The DEFENDANTS operate theme parks, hotels, restaurants, and shops and advertise its good and services through websites which are public accommodations open to the public in California and Florida.

75. Through the acts and omissions described herein above, DEFENDANTS are violating California Civil Code §54.

76. Under California Civil Code §54 (c), a violation of the ADA also constitutes a violation of California Civil Code §54 *et seq.*

77. PLAINTIFFS are persons with disabilities within the meaning of the California Civil Code §54 (b)(1) and California Government Code § 12926.

78. The DEFENDANTS provide public services within the meaning of the California Civil Code §54 *et seq.*

79. By failing to provide accommodations and services to visually impaired

1 guests, as set forth at length elsewhere in this Complaint, DEFENDANTS are
2 violating California Civil Code §54, by denying visually impaired guests full
3 access to DEFENDANTS' programs, services, and activities.

4 80. As a direct and proximate result of the aforementioned acts, PLAINTIFFS
5 have suffered, and continue to suffer hardship and anxiety as well as
6 deteriorating physical conditions, due to DEFENDANTS' failures to address
7 accommodations and services required for PLAINTIFFS' disabilities.

8 81. Due to the continuous nature of DEFENDANTS' discriminatory conduct,
9 which is ongoing, declaratory and injunctive relief are appropriate remedies.
10 Moreover, as a result of DEFENDANTS' actions, PLAINTIFFS are
11 suffering irreparable harm, and thus immediate relief is appropriate.
12 PLAINTIFFS are also entitled to reasonable attorneys' fees and costs in
13 filing this action. California Civil Code §55.

14 82. Each DEFENDANTS is charged by law and public policy as well as its own
15 code of business responsibility to refrain from discriminating against the
16 PLAINTIFF CLASSES on account of their physical disability. As a result of
17 the actions and conduct described herein, the PLAINTIFF CLASSES have
18 no adequate remedy at law to redress their grievances and recover their
19 damages.

20 **PRAYER FOR RELIEF**

21 PLAINTIFFS pray as follows:

- 22 1. For certification of the PLAINTIFF CLASSES pursuant to applicable law the
23 Rules of this Court.
- 24 2. For an injunction ordering DEFENDANTS, each of them, to comply with the
25 statutes set forth herein;
- 26 3. For an order establishing the following equitable, injunctive and declaratory
27 relief:
 - 28 a. That a judicial determination and declaration be made of the rights of

1 the PLAINTIFF CLASSES, and of the Court-approved remedial
2 measures that DEFENDANTS and each of them must take to prevent
3 discrimination of the visually impaired by all employees of
4 DEFENDANTS;

5 b. That DEFENDANTS be forever enjoined from engaging in the
6 practices described in this Complaint and from any practices that
7 deviate from any orders of this Court;

8 c. That this Court mandate that DEFENDANTS provide Braille signage
9 within their theme parks, hotels, restaurants, and shops in Florida and
10 California;

11 d. That this Court mandate that DEFENDANTS provide permanent
12 Braille maps at multiple locations and portable maps in alternative
13 formats such as Braille and/or large print within Disney theme parks,
14 hotels, restaurants, and shops in Florida and California;

15 e. That this Court mandate that DEFENDANTS provide menus and
16 schedules in alternative formats such as Braille and/or large print
17 within Disney theme parks, hotels, restaurants, and shops in Florida
18 and California;

19 f. That this Court mandate that DEFENDANTS read the menus, in full,
20 upon request by visually impaired patrons.

21 g. That this Court mandate that each DEFENDANT provide reasonable
22 accommodations for service animals, designated places to defecate
23 within Disney theme parks, hotels, restaurants, and shops in Florida
24 and California, and places where the service animal can be tied within
25 the theme parks while visually impaired persons use rides.

26 h. That this Court mandate that DEFENDANTS provide a free or
27 reduced fare admission ticket to one person accompanying a paid
28 visually impaired ticket holder to act as a guide within Disney theme

1 parks in Florida and California;

2 i. That this Court mandate that DEFENDANTS are enjoined from
3 maintaining a policy at parades, such as the Main Street Electric
4 Parade, that only wheelchair users are allowed to use the area
5 designated for handicapped guests, and not guests with other
6 disabilities such as visual impairments;

7 j. That this Court mandate that DEFENDANTS provide reasonable
8 accommodations for visually impaired quests when renting lockers;

9 k. That this Court make a determination as to the impropriety of the fees
10 Defendants charge visually impaired visitors at Disney theme parks in
11 Florida and California for accommodations and auxiliary aids and
12 services including kennels;

13 l. That this Court mandate that DEFENDANTS maintain their websites
14 including www.disney.go.com, www.disneyland.com,
15 www.disneyworld.com and www.disneycruise.com to make them fully
16 accessible for persons with visual impairments utilizing screen reader
17 software;

18 m. That this Court mandate that DEFENDANTS provide handicap-
19 accessible parking at Disneyland that is compliant with the following
20 provisions of the ADAAG: 4.6.2, 4.1.2, 4.1.3, 4.7.7, 4.29.2 and 4.29.5;
21 to ensure that DEFENDANTS' parking facilities do not violate the
22 Americans with Disabilities Act and Title 24 of the California Code of
23 Regulations;

24 3. For reasonable attorneys' fees as may be determined by the Court for all
25 causes of action;

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3 4. For costs of suit; and

4 5. For such other and further relief as the Court may deem just and proper.

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Dated: 5/7/12

Respectfully submitted,

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PLAINTIFF CLASSES

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