Gomez v. Trinitas Cellars, LLC

United States District Court,
Northern District of California
March 9, 2022

Keywords: Americans with Disabilities Act ("ADA"), Title III of the ADA, website accessibility, nexus analysis, motion to dismiss, , failure to state a claim, place of public accommodation, California, Unruh Act, Federal Rules of Civil Procedure ("FRCP"), standing.

Summary and Facts of the Case

Andres Gomez, who is legally blind, sued Trinitas Cellars, LLC (vineyard) in November 2021 claiming the vineyard's website was not accessible to him violating the Americans with Disabilities Act ("ADA") and California's Unruh Civil Rights Act.

Gomez said he was on the vineyard's website to get information about wines sold at the vineyard and learn about the wine tasting tours.

Gomez said (1) the pictures on the website did not have alternative text readable by his screen-reader software ("SRS"); (2) the website had script elements not readable by his SRS; and (3) the color contrast between the background and the foreground of the vineyard's webpage was too low. Gomez further claimed that because the website's accessibility was poor, he did not have full and equal access to the vineyard.

In 2022, the vineyard asked the court to dismiss the case saying that the supplemental jurisdiction of the Unruh Act claim should be denied, that Gomez lacked standing (meaning Gomez was injured by the inaccessible website) under the Federal Rules of Civil Procedure (FRCP) 12(b)(1), and that he failed to state a claim under FRCP 12(b)(6). This court ruled in favor of the vineyard.

Issues of the Case

1. Could Gomez make a claim under the Unruh Act?
2. Does Gomez have a claim for relief under FRCP 12(b)(6)?
3. Does Gomez have standing FRCP 12(b)(1), to bring these claims?

Arguments and Analysis

1. The vineyard argued the Unruh Act claim should be denied**.**

The vineyard argued that supplemental jurisdiction over the Unruh claim should be denied if the ADA claim was dismissed because Gomez did not have standing to pursue both an ADA and Unruh claim.

Judge William H. Orrick decided that, because he was allowing Gomez to amend his complaint against the vineyard, he could not, at the time, decide if the Unruh Act claim also applied and wrote that it would be decided if Gomez succeeded in stating a claim.

2. The vineyard argued that Gomez failed to state a claim that would allow him to get relief.

The vineyard argued that Gomez's complaint did not declare that the alleged website inaccessibility prevented him from accessing the goods and services of the vineyard. Therefore, he failed to state a claim. The vineyard relied on Robles v. Domino's Pizza, LLC, 913 F.3d 898 (9th Cir. 2019) *, a case where the court ruled that, for an ADA claim about website accessibility to be valid, there must be a "nexus", meaning a connection, between the website and the physical place of business. In the Robles case, Robles was trying to use a Dominos' website to order a pizza. Gomez was only looking for information about the vineyard before he visited. The court reasoned that there was nothing on the record showing how the website stopped Gomez from getting information about the vineyard's physical locations.

Judge William H. Orrick agreed that none of Gomez's claims showed how he was denied full and fair enjoyment of vineyard's products and services. Judge Orrick also wrote that it is possible the images lacking script elements were not important, among other things, that Gomez claims were too vague, so he granted the vineyards motion to dismiss, with leave to amend or an opportunity for Gomez to amend or change his complaint.

3. The vineyard argued that, under FRCP 12(b)(1), Gomez did not have standing to bring his claims**.**

The vineyard argued that Gomez failed to plead an injury-in-fact, or was injured, which is necessary to show standing, for the reasons mentioned above that he failed to state a claim. The vineyard also claimed that Gomez failed to show that he planned to return to the winery, rather than he intended to use the website in the future.

Remedies Sought

The vineyard asked that the case be dismissed. The judge dismissed the case with an opportunity for Gomez to amend the lawsuit.

Policy and Practice

It is common under the ADA for some people to bring many cases before the court on a specific topic. Because of this, ADA plaintiffs must be careful about their claims to win when there are challenges to their standing or their claims.

In cases of website accessibility, someone bringing a suit must show how website barriers denied them full and fair enjoyment and show the connection between the website and a physical location.

Link

- Motion to Dismiss – Gomez v. Trinitas Cellars, LLC
  Web: https://casetext.com/case/gomez-v-trinitas-cellars-llc

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