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**Varying Interpretations of Title III Cases of the ADA**  
 July 26, 2018



Narrower Interpretations of ADA (Defendant-Friendly)	In-Between Interpretations of ADA	Broader Interpretations of ADA (Plaintiff-Friendly)
<p><i>Parker v. Metro. Life Insurance Co.</i>, 121 F.3d 1006 (6th Cir. 1997) (holding provision of disability insurance plan by employer that was administered by an insurance company does not fall within purview of Title III and concluding a public accommodation must be a physical place, but reserving opinion “as to whether a plaintiff must physically enter a public accommodation to bring suit under Title III as opposed to merely accessing, by some other means, a service or good provided by a public accommodation.”).</p>	<p><i>Castillo v. Jo-Ann Stores, LLC</i>, 286 F. Supp. 3d 870 (N.D. Ohio 2018) (denying motion to dismiss because plaintiff stated a claim under ADA by sufficiently alleging a nexus between store’s website and physical locations).</p>	<p><i>National Association of the Deaf v. Netflix, Inc.</i>, 869 F. Supp. 2d 196, 200 (D. Mass. 2012) (holding Netflix’s website is place of public accommodation providing web-based services and that the “ADA covers services ‘of a public accommodation, not services ‘at’ or ‘in’ a public accommodation”).</p> <p><i>Doe v. Mutual of Omaha Insurance Co.</i>, 179 F.3d 557 (7th Cir. 1999) (holding Title III’s coverage extends beyond physical products to contracts and insurance policies, and providing, “the owner or operator of a store, . . . Web site, or other facility (whether in physical [or electronic] space), that is open to the public cannot exclude disabled persons”) (internal citations omitted).</p> <p><i>Rendon v. Valleycrest Productions</i>, 294 F.3d 1279 (11th Cir. 2002) (finding plaintiffs stated valid claim under Title III that automated telephone contestant selection process is discriminatory screening mechanism, policy or procedure preventing disabled plaintiffs from appearing as contestants on TV show filmed at a studio, which is a place of public accommodation).</p>