

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 24-61206-CIV-SINGHAL

VICTOR ARIZA,

Plaintiff,

v.

ROBINSON SPORTS INC., d/b/a FIT2RUN, a
Florida for-profit corporation,

Defendants.

ORDER

THIS CAUSE comes before the Court following the Court's Order (DE [15]). In accordance with Federal Rule of Civil Procedure 58(a), the Court now enters this separate final judgment.

Accordingly, it is hereby **ORDERED AND ADJUDGED** that:

1. The Court declares and finds that Defendant's website, <https://www.fit2run.com>, which acts as a critical point of sale for Defendant's merchandise that is available in, from, and through Defendant's physical stores, contains access barriers and is not fully and equally accessible to blind and visually disabled users such as Plaintiff, in violation of Title III of the Americans with Disabilities Act, 42 U.S.C. §§ 12181-12189 ("ADA").

2. Defendant shall not, no later than six (6) months from the date of this Judgment, deny any individuals with disabilities, including the Plaintiff, the opportunity to access, participate in, and benefit from the goods, services, facilities, privileges, advantages, programs, activities, and accommodations provided through its website. The

website must be accessible by individuals with disabilities who use computers, laptops, tablets, and smart phones.

3. Defendant shall not, no later than six (6) months from the date of this Judgment, provide individuals with disabilities, including Plaintiff, an unequal opportunity to access, participate in, and benefit from the goods, services, facilities, privileges, advantages, programs, activities, and accommodations provided through its website, <https://www.fit2run.com>. The website must be accessible by individuals with disabilities who use computers, laptops, tablets, and smart phones.

4. No later than six (6) months from the date of this Judgment, Defendant shall adopt and implement a Web Accessibility Policy which ensures that its website conforms with the Web Content Accessibility Guidelines (“WCAG”) 2.1 Level A or higher versions of web accessibility.

5. No later than six (6) months from the date of this Judgment, Defendant shall require any third-party vendors who participate on its website to be fully accessible to the disabled by substantially conforming with WCAG 2.1 Level A or higher versions of web accessibility.

6. No later than six (6) months from the date of this Judgment, Defendant shall make publicly available and directly link from the <https://www.fit2run.com> homepage, a statement of Defendant’s Accessibility Policy to ensure that persons with disabilities, such as Plaintiff, have full and equal access to and enjoyment of its website and shall accompany the public policy statement with an accessible means of submitting accessibility questions and problems.

7. No later than six (6) months from the date of this Judgment, at least once yearly thereafter, Defendant shall provide mandatory web accessibility training to all employees who write or develop programs or code for, or who publish final content to, the <https://www.fit2run.com> website on how to conform all web content and services with WCAG 2.1 Level A or higher versions of web accessibility.

8. No later than six (6) months from the date of this Judgment, and at least once every six (6) months thereafter, Defendant shall conduct automated accessibility tests of its website to identify any instances where the website is no longer in conformance with WCAG 2.1 Level A or higher versions of web accessibility. A copy of the first report will be furnished to Plaintiff's counsel.

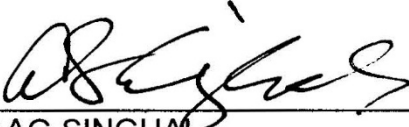
9. If Plaintiff believes this Injunction has been violated, he shall give written notice (including reasonable particulars) to Defendant of such violation. Defendant shall have thirty (30) calendar days from receipt of the written notice to investigate and correct any alleged violations.

10. If Defendant fails to correct the violations, Plaintiff may then seek relief from the Court.

11. Plaintiff is also awarded his reasonable attorney's fees, costs, and expert witness expenses under the ADA, 42 U.S.C. § 12205. Based upon a review of the materials submitted by Plaintiff in support of his Motion, the Court finds that the requested \$450.00 hourly rate for Plaintiff's attorneys is reasonable and recoverable, and that Plaintiff's claimed attorney's fees in the amount of \$7,020.00 for 15.6 total hours of attorney time, taxable costs in the amount of \$544.80, and expert fees in the amount of \$4,275.00 are reasonable and recoverable. Plaintiff is thus entitled to a total award of

damages, fees, costs, and expenses in the amount of \$11,839.80, for which let execution issue forthwith.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 30th day of April 2025.



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE

Copies furnished counsel via CM/ECF