

I. Baselines:

Defendant presents the following baselines to set up foundation to refute arguments by Plaintiff as flawed, inaccurate, and completely frivolous in nature and lacking merit:

1. Lack of DOJ Guidance & Non-Certified Tester: No guidance exists from the DoJ in respect to what is considered a compliant hotel website, nor does the World Wide Web Consortium (W3C) provide a certification for WCAG conformity. Nor is there anything detailed as to what information per se or level of detail is warranted to comply with The Law.
 - A. There is NO single accepted State or Federal certification process for ADA or WCAG compliance so it is unclear on what legal grounds the plaintiff can pose as a qualified 'tester' and a qualified authority with any merits besides the fact that she is purportedly disabled. Additionally, the DoJ itself has not issued a ruling as to the specificity and the standards by which compliance with The Law can be ascertained.
 - B. Plaintiff makes no claims of audio visual impairment so it is assumed she is able to read, comprehend, and view pictures on baybridgeinn.com 'to independently assess whether Bay Bridge Inn's accommodations meet her accessibility needs'.
 - C. INN's websites and booking engine have been usability tested and driven hundreds, if not thousands of reservations for accessible guest rooms for many years, thereby demonstrating adherence to ADA Title III with real data and setting legal precedence for Online ADA Compliance.
2. Bay Bridge Inn ADA Physical Requirements: As a 22-unit hotel, the guidelines, which are published by the DOJ (<https://www.ada.gov/hsurvey.htm>) for complying with the physical aspects of the Americans with Disabilities Act stipulate the following:

Total Spaces in Lot	Acc. Spaces Required
1-25	1 van

(Table 9.1.3)	
Number of Rooms In the Hotel	Rooms for Hearing Impaired Guests
1 - 25	1

(Table 9.1.2)		
	Column "A"	Column "B"
<u>Total Rooms in Facility</u>	<u>Accessible Rooms</u>	<u>Rooms with Roll-in Showers</u>
1 to 25	1	0

3. Hospitality Websites Powered By INN sight Address Accessibility Concerns with Numerous Assistive Technologies and Industry Wide Subject Matter Expertise that has assiduously been incorporated into product requirements and design

Based on using a industry-recognized software vendor with a deep Subject Matter Expertise of The Law, defendant's technology is built in earnest to follow The Law and even goes to the extent of providing further assistive technology to allow individuals with audio/visual and mobility impairment to engage with its website as readily and easily as individuals without any such disabilities.

Dedicated Educational Efforts, Publications, and Technologies by INN sight to Help Hoteliers Achieve Compliance with ADA Title III and conform to WCAG 2.0-2.1:

<https://suite.innsight.com/ADA-Disabled-WCAG-Accessibility-Hotel-Website-Design>

<https://suite.innsight.com/education/ADA-website-accessibility-WCAG-compliance-for-my-hotel-website>

<https://suite.innsight.com/education/ADA-Title-III-and-Web-Content-Accessibility>

<https://www.ncrla.org/magazines/at-your-service-spring-2018/>

<https://www.nxtbook.com/naylor/AAHOM/AAHOM0218/index.php?startid=24#/24>

4. Challenging of the Admissibility of Screen Scrapers and Website Archiving Tools vs. Rich Data Set and Evidence Produced by Technology Vendor
- Content on Bay Bridge Inn website *Powered by INN sight* is fully controlled by Content Management System and is NOT static. Caching of content in browser memory, the use of cookies, and a host of other technical reasons may result in a variety of presentation combinations. Content for Bay Bridge Inn has NOT been significantly altered since its launch.
 - The defendant wishes to point out that services such the 'Wayback Machine' cannot be taken as final arbiters of the accuracy of content for a dynamic website for a variety of reasons, the following being the chief reasons:

- i. Various servers on the Internet run at different geographical locations and operate in different time zones, and operated by teams working out of differing legal jurisdictions, and of varying technical capacity, due to which timekeeping can be inaccurate.
 - ii. The Wayback Machine does not have full blown web browsers that completely mimic all functionality of dynamic websites.
 - iii. For security reasons, specifically to avoid attacks like Cross Site Scripting, Click-jacking, Phishing and such other attacks, security standards have been developed such that when applied, no other site can run scripts of a site thus secured, in order to mimic the behaviour of the original site even though they have access to all the scripts. Thus, in order to ensure security, all sites that follow best practices have safeguards in place that prevent dynamic functionality from being copied and run by other sites, including archival sites like the Wayback Machine. At the very least, the browser address bar, including the website Security details (SSL/TLS certificate) will display messages, signs or notifications indicating the actual origin of scripts. The Wayback Machine itself apparently does not wish or attempt to mimic the full functionality of any given site for the same reasons.
 - iv. Nevertheless, plaintiff's claims from web archive examples are completely refuted by evidence.
- c. Defendant is prepared to mount a vigorous defense based on irrefutable technical evidence and will request a full preservation of plaintiff's browser and search history to corroborate plaintiff's claims vs. database, IP logs, deep site usage and traffic analytics obtainable by technology vendor.

II. 'The Five Points of ADA Title III' Demonstrated

REQUIREMENTS UNDER 2010 ADA TITLE III, entail the following:

According to 28 C.F.R. Section 36.302(e): An owner, lessor, lessee, or operator (hereinafter referred to as "owner and operator") of a place of lodging must, with respect to reservations "made by telephone, in-person, website or through a third party":

- 1. Modify its policies, practices, or procedures to ensure that individuals with disabilities can make reservations for accessible guest rooms during the same hours and in the same manner as individuals who do not need accessible rooms;**



Since January 6, 2017, Bay Bridge Inn has been *Powered by INN*sight's award-winning proprietary technology driving its digital marketing and website found at www.baybridgeinn.com. The Bay Bridge Inn website has a webpage dedicated solely to Accessibility and has included 1 accessible guest room type, as

CHECK AVAILABILITY


Mar 16


Mar 20

Promo Code

1 Room, 2 Adults, 0 Children

SEARCH





Single Queen Non Smoking - Accessible
Only 1 Room left

Our Single Queen Accessible Non Smoking room consists of a Queen size bed with plush bedding. This room is ideal for those in need of an accessible bathroom.

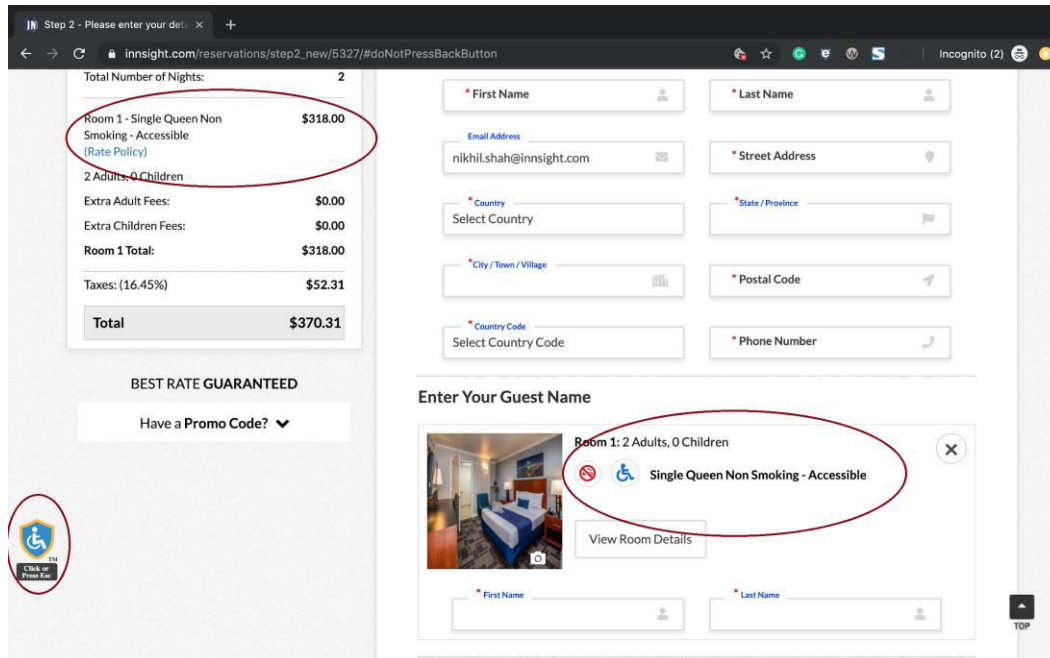
Best Standard Online Rate Rate Policy Room Total	\$316.50 Per Night Excluding Taxes & Fees	Select Room
Other Rate Plans		
AAA Rate Policy Room Total	\$316.50 \$284.85 Per Night Excluding Taxes & Fees	Select Room

More Room Details +

required by Law, which has been visible, described in complete detail, including an accurate photo, and bookable to the public 24/7 per the following exhibits:

Exhibit 1: Single Queen Non-Smoking Accessible Room Type Available for Rent

Exhibit 2: Single Queen Non-Smoking Accessible Room Type Bookable on Reservations Page



Step 2 - Please enter your details

innsight.com/reservations/step2_new/5327/#doNotPressBackButton

Total Number of Nights: 2

Room 1 - Single Queen Non Smoking - Accessible (Rate Policy) \$318.00

2 Adults, 0 Children

Extra Adult Fees: \$0.00

Extra Children Fees: \$0.00

Room 1 Total: \$318.00

Taxes: (16.45%) \$52.31

Total \$370.31

BEST RATE GUARANTEED

Have a Promo Code? ▼

* First Name

* Last Name

Email Address
nikhil.shah@innsight.com

* Street Address

* Country
Select Country

* State / Province

* City / Town / Village

* Postal Code

* Country Code
Select Country Code

* Phone Number

Enter Your Guest Name

Room 1: 2 Adults, 0 Children

Single Queen Non Smoking - Accessible

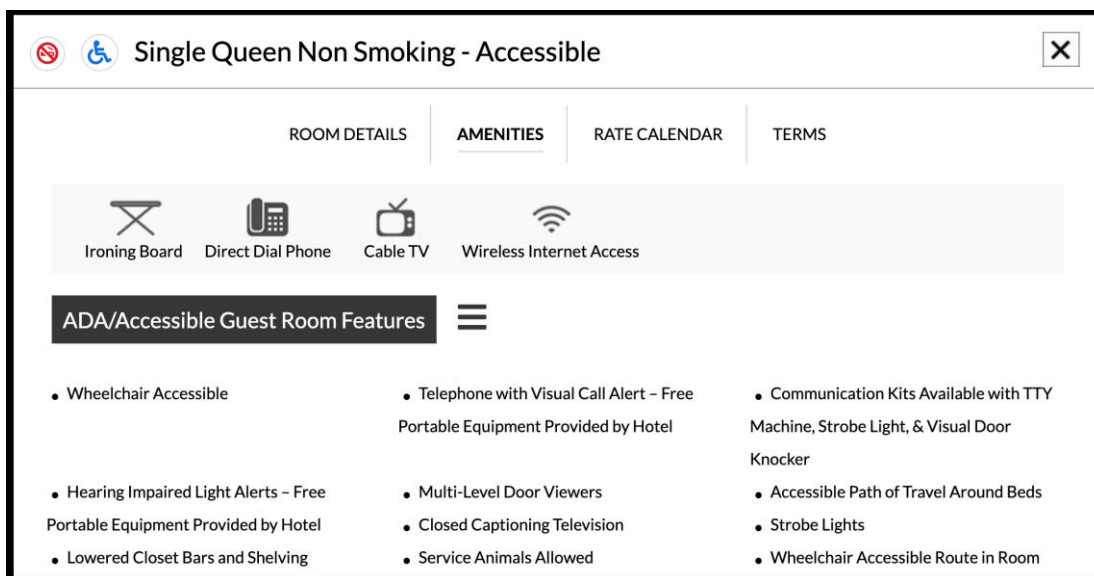
View Room Details

* First Name

* Last Name

TOP

Exhibit 3A: INN sight Book It Now Flow Demonstrating Accessible Room Type Bookability



Single Queen Non Smoking - Accessible

ROOM DETAILS | AMENITIES | RATE CALENDAR | TERMS

Ironing Board Direct Dial Phone Cable TV Wireless Internet Access

ADA/Accessible Guest Room Features

- Wheelchair Accessible
- Telephone with Visual Call Alert - Free Portable Equipment Provided by Hotel
- Communication Kits Available with TTY Machine, Strobe Light, & Visual Door Knocker
- Hearing Impaired Light Alerts - Free Portable Equipment Provided by Hotel
- Multi-Level Door Viewers
- Closed Captioning Television
- Accessible Path of Travel Around Beds
- Lowered Closet Bars and Shelving
- Service Animals Allowed
- Strobe Lights
- Wheelchair Accessible Route in Room

Exhibit 3B: INN sight Book It Now Flow Demonstrating Accessible Room Type Amenities Details After Pressing 'View Room Details'

Bay Bridge Inn

YOUR HOME AWAY FROM HOME IN THE HEART OF THE CITY

NEED HELP WITH YOUR RESERVATION?

Subject: Oops, it looks like you had trouble with your booking at Bay Bridge Inn

Dear Traveller,

Please note that this is an automated email from our system. If you were able to successfully complete a booking and you received an email confirmation for your reservation, you can disregard this email.

We have discovered that you were not able to successfully complete your booking at Bay Bridge Inn. We would like to help you complete your reservation so please feel free to contact us via email at help@innsight.com to explain the issues that you faced while making your reservation.

We do have rooms available for you at Bay Bridge Inn. You can also follow the below link to retry making your reservation. We recommend using Google Chrome or Mozilla Firefox browsers for the most compatible browser experience.

URL: [/tinyurl/405](https://tinyurl.com/405)

We look forward helping you book your stay at Bay Bridge Inn.

Exhibit 4: Shopping Cart Abandonment Email Example

Note: There is no database record of plaintiff's alleged use that demonstrates a valid attempt to make a reservation was even made, otherwise a Shopping Cart Abandonment process would have been initiated and logged. Defendant will seek plaintiff email history to corroborate claims.



Bay Bridge Inn
YOUR HOME AWAY FROM HOME IN THE HEART OF THE CITY

RESERVATION CONFIRMATION

Dear [REDACTED]

Thank you for your reservation made through INN sight.com at **Bay Bridge Inn** checking in Mon, Mar 5, 2018 for 1 room and 1 night.

[Modify / Cancel Reservation](#)

Confirmation Details


Reservation Id: **CF79C0CC-1441-5327**
Booking Source: Standalone
Your Name: [REDACTED]
Your Phone: [REDACTED]
Your Email: [REDACTED]@gmail.com

Property Information

Property Name: **Bay Bridge Inn**
Address: 966 Harrison Street
San Francisco, CA 94107, USA
Phone: +1 (415) 397-0657
Fax: +1 (415) 495-5117
Email: bbinnst@gmail.com
Directions: For personalized driving directions please go to:
<http://www.baybridgeinn.com/directions>

Booking Details

Arrival: Mon, Mar 5, 2018
Departure: Tue, Mar 6, 2018
No. of Rooms: 1 room
Total price in USD: \$115.29
Property Site: <http://www.baybridgeinn.com>

[Add to Calendar](#) 

[Edit Billing Address](#)
[Edit Credit Card](#)
[Request for Early Check In or Check Out](#)

Room Details

Room 1

Guest Name: [REDACTED]
Room Type: **Single Queen Non Smoking - Accessible**
Adults: 1
Children: 0

Date	Rate (USD)
Mar 5	\$99.00

Note: Room rates for this reservation are based on the number of adults outlined above. If you have additional adults at the time of check in, you will be charged additional extra adult fees based on the hotel's policy. Special requests are subject to availability upon check-in and may incur additional charges. Special requests cannot be guaranteed.

Sub Total \$99.00
Tax (16.45%) \$16.29
Total of Room 1 \$115.29

Property Policies

Check In: 15:00:00
Check Out: 11:00:00
Accepted Cards: Visa, MasterCard, American Express, Diners Club
Currency: \$

Cancellation Policy

- We have a 24 Hour Cancellation Policy. If you wish to cancel or modify a reservation, you must do so by 3 PM 24 hours or 1 days prior to your arrival date. If you cancel or modify post the expiration of the Cancellation Period or you fail to show up, a no-show charge will be levied on your credit card for one full night plus taxes and fees. The name on the reservation must match the photo ID and credit card. Visa, MasterCard, American Express, Diners Club, Carte Blanche, Discover, JCB. This hotel reserves the right to pre-authorize credit cards prior to arrival. No Pre-pay Credit Cards, Gift Cards or Cash will be accepted. Credit cards are pre-authorized prior to arrival. The Hotel is not responsible for guaranteeing the reservation if an invalid or expired credit card is provided. The name on the credit card used to check-in to pay for incidentals must be the primary name on the guestroom reservation. Government issued photo identification and a credit card are required in order to check-in. If you have made a reservation with an Advance Purchase Discount, you will NOT be able to cancel or modify this pre-paid non-refundable reservation type. A security deposit of USD \$50 is required upon arrival for incidental charges. This deposit is fully refundable upon check-out and subject to a damage inspection of the accommodation.

Children & Extra Beds

- Children ages 12 and older are charged as an adult. Extra beds are an additional fee.

Pets

- ADA Defined Service Animals are welcome at our hotel. Sorry, absolutely NO PETS are allowed at Bay Bridge Inn.

Exhibit 5: Accessible Room Type Successful Booking (Pre-Alleged Date of Allegations)

2. Identify and describe accessible features of the place of lodging and guest rooms offered through its reservations system in enough detail to

reasonably permit individuals with disabilities to assess independently whether a given place of lodging or guest room meets his/her accessibility needs

The INN sight Content Management System is built specially to display accessibility features at the property level, guest room level and guest bathroom level across multiple pages designed with user experience in mind. Touchpoints developed to provide accessibility details on website for Bay Bridge Inn are as follows (Note: Websites *Powered by INN sight* are responsive and all content is presented to multiple devices and screen types):


Table 1: Catalog of All Accessibility Features on Website: BayBridgeInn.com






Page Name	Description	URL
Dedicated Accessibility Page	Demonstrates all property level, guest room level, guest bathroom level accessibility features and stipulates that Bay Bridge Inn follows The Five Points of ADA Title III and its website also conforms to WCAG standards. Dynamically controlled by CMS. Link can be found persistently in website footer, sitemap, and also via the ADA Tray™ via button with universal handicap iconography. This page is proprietarily protected by <i>US Government Issued Copyright: TX 8-748-968</i>	https://www.baybridgeinn.com/ada-accessibility-amenities-services-facilities
Guest Rooms	Demonstrates all guest rooms in one easy to read page with ability to 'Check Availability' of that room type, plus the ability to drill down and see more details. Guests are able to review details about each room type, including seeing a list of regular room types and accessible room types. Iconography for Accessibility is clear and present.	https://www.baybridgeinn.com/guestrooms
Guest Room Details	Each room type has a dedicated guest room details page which demonstrates all the features of the guest room including accessibility	https://www.baybridgeinn.com/guestrooms/single-queen-non-smoking-accessible

	amenities and photo galleries. Iconography for Accessibility is clear and present.	
Property Overview	This proprietary page demonstrates property policies and overview of details and includes a section on Accessibility Features.	https://www.baybridgeinn.com/overview
Gallery	Photo Gallery Displays Images of Property Features including any images with descriptions of accessibility features or images from which features can be ascertained visually.	https://www.baybridgeinn.com/gallery
Street View on Map & Directions	The Street View allows the user to zoom in and take a virtual tour of the property and visually ascertain if property has van accessible parking, etc.	https://www.baybridgeinn.com/directions
Book It Now Flow	The Reservation Flow will continue to demonstrate accessibility features of the guest room if applicable room type is selected. Iconography for Accessibility is clear and present.	Shopping Cart Abandonment: Usage data is tracked.
ADA Tray™	Patent-Pending Software Layer widget that helps further enhance the hotel's website's conformity to WCAG and layers on additional assistive technology including a screen reader.	Persistent on all pages. Usage data is tracked.


[ABOUT US](#)
[CONTACT US](#)
[SITEMAP](#)
[ACCESSIBILITY](#)
[COOKIE POLICY](#)
[PRIVACY POLICY](#)
[TERMS & CONDITIONS](#)
[MODIFY/CANCEL MY RESERVATION](#)

BAY BRIDGE INN
 Address: 966 Harrison Street, San Francisco, California 94107 | Tel: (415) 397-0657 | Fax: (415) 495-5117 | Email: bbinnsf@gmail.com



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 [SAN FRANCISCO ATTRACTIONS](#) |
 [THE BAY BRIDGE INN GUEST ROOMS](#)



Exhibit 6: Link to Dedicated Accessibility Page in Footer (Persistent)

[CHECK AVAILABILITY](#) [Sep 05](#) [Sep 06](#) [1 Room, 2 Adults, 0 Children](#) [SEARCH](#)


 Our Hotel Offers The Following Accessibility Features

Property Accessibility Features

- 32 Inch Wide Openings to Common Areas
- Accessibility Equipment for The Deaf
- Accessible Guest Rooms with 32 Inch Wide Openings
- Accessible Registration Check-in Counter
- ADA Accessible Guest Room
- Ground Floor Hotel Entrance
- Hotel corridors a minimum of 36" wide
- On-Site Designated Accessible Parking
- People in Need of Accessible Features Can Book Accessible Rooms During The Same Time and Terms That Others Can Reserve Rooms
- Registration Desk is Accessible
- Service Animals Allowed At No Additional Charge
- Van Accessible Parking
- WCAG Level 2.1 Website
- Wheelchair Accessible
- Hotel Provides Proper Number of Accessible Guest Rooms Stipulated by ADA

Guest Room Accessibility Features

- Wheelchair Accessible
- Service Animals Allowed
- Lowered Closet Bars and Shelving
- Strobe Lights
- Closed Captioning Television
- Accessible Path of Travel Around Beds
- Multi-Level Door Viewers
- Hearing Impaired Light Alerts – Free Portable Equipment Provided by Hotel
- Communication Kits Available with TTY Machine, Strobe Light, & Visual Door Knockers
- Telephone with Visual Call Alert – Free Portable Equipment Provided by Hotel
- Wheelchair Accessible Route in Room

 **Bathroom Accessibility Features**

- Grab Bars at Tub with a Tub Seat
- Lowered Towel Hooks and Racks
- Toilet Grab Bars

[CLICK HERE TO CHECK AVAILABILITY](#)

Exhibit 7: Content Demonstrating Features of Property Per Points 1 & 2 on Dedicated Accessibility Webpage

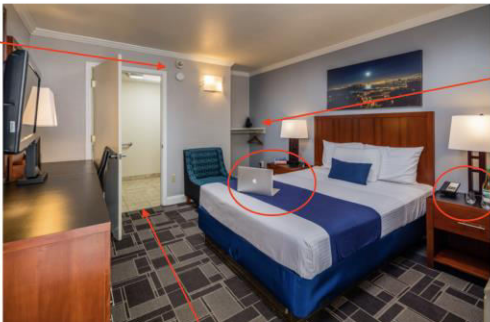
Exhibit 8: Overview Page demonstrating Overall Property Accessibility Features Clearly

9: Guest Rooms Page with Clearly Listed Accessible Room Type and ability to Check Availability directly

baybridgeinn.com/guestrooms/single-queen-non-smoking-accessible

CHECK AVAILABILITY Mar 16 Mar 20 Promo Code 1 Room, 2 Adults, 0 Children SEARCH

SINGLE QUEEN NON SMOKING- ACCESSIBLE



Strobe Light Alarm

Grab Bar in Bathroom

Lowered Shelves

Push Button Controls Volume Control Telephone

Persistence of ADA Tray

Wheelchair accessible path of travel plus oversized door

Our Single Queen Accessible Non Smoking room consists of a Queen size bed with plush bedding. This room is ideal for those in need of an accessible bathroom.

> Capacity: 2 Persons

> Non Smoking

> ADA Accessible Guest Room

Clear labeling of Accessible Room Type with Iconography

Exhibit 10: Guest Room Details Page & Detailed Description of Accurate Accessible Guest Room Photo

CHECK AVAILABILITY Mar 16 Mar 20 Promo Code 1 Room, 2 Adults, 0 Children SEARCH

Amenities

General Services	> Ironing Board	> Heater	> Desk	> Daily Housekeeping Service
Bathroom	> Private Bathroom			
Technology	> LCD/LED TV	> Direct Dial Phone	> Cable TV	> Alarm Clock
	> Electronic Locks	> Wireless Internet Access		
ADA/Accessible Guest Room Features	> Wheelchair Accessible	> Telephone with Visual Call Alert – Free Portable Equipment Provided by Hotel	> Communication Kits Available with TTY Machine, Strobe Light, & Visual Door Knocker	> Hearing Impaired Light Alerts – Free Portable Equipment Provided by Hotel
	> Multi-Level Door Viewers	> Accessible Path of Travel Around Beds	> Closed Captioning Television	> Strobe Lights
			> Lowered Closet Bars and Shelving	> Service Animals Allowed
				> Wheelchair Accessible Route in Room
ADA/Accessible Bathroom Features	> Grab Bars at Tub with a Tub Seat	> Lowered Towel Hooks and Racks	> Toilet Grab Bars	

Images

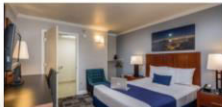


Exhibit 11: Detailed Accessibility Amenities Listing on Guest Room Details Page

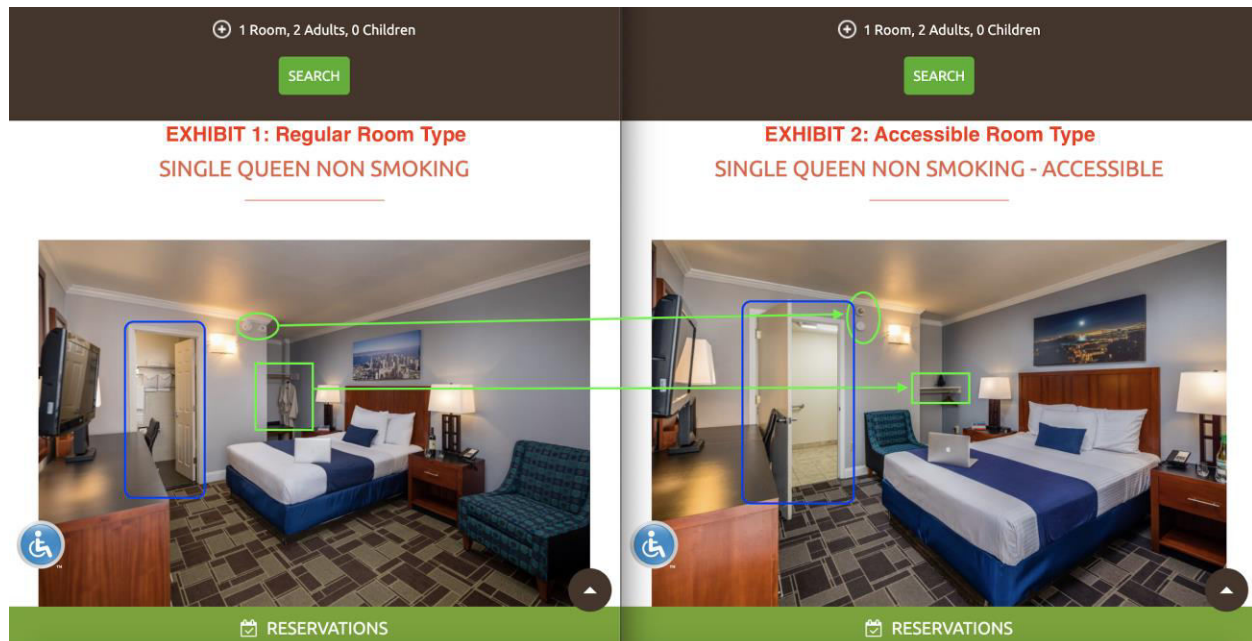


Exhibit 12: Comparison of Standard vs. Accessible Guest Room Type: Visual depiction of strobe lights, grab bars, lowered shelves, wheelchair accessible path of travel.

3. Ensure that accessible guest rooms are held for use by individuals with disabilities until all other guest rooms of that type have been rented and the accessible room requested is the only remaining room of that type;

There is a real-time two-way connection between INN sight's proprietary booking engine and the Property Management System thereby removing inventory immediately after the reservation is booked. Front desk staff are instructed not to book walk-ins who do not specifically request the accessibility room until it is the final room available.




By the mere fact that the INN sight Booking Engine demonstrates the availability of this guest room indicates that it is held as the last room of that type unless otherwise booked by a guest from the property's website or any third-party website where the room type is available.

INN sight can provide API XML logs demonstrating that Accessible Rooms are removed from inventory only when they are booked and are sold last to walk-ins.

If the accessible guest room is booked online before it can be constituted as the final room available, innkeeper cannot question the validity of the guest's reservation per Points 4 and 5 and are moot point as it is automatically assumed that if the room type, of which this is one 1 room count, is unavailable, that it has been booked by a guest who confirmed their need for that room type. Any other postulation would be discriminatory in nature.

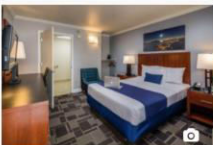
For all typical use cases, the following screenshot demonstrates the algorithm used by the INN sight booking engine that surfaces the 1 accessible room left after all other guest rooms are sold out thereby demonstrating the algorithm's logic is tuned to adhere to The Law:



Step 1: Mix & Match Your Rooms

Click on 'Select Room' once you have made your room selection and Continue to Step 2

Room 1: 2 Adults, 0 Children

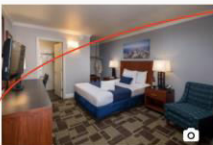





Single Queen Non Smoking - Accessible
Only 1 Room Left

The Queen Accessible Guest Room features: wheelchair accessible path of travel, a variety of accessibility features in the guest room including multi-level amenities, A/V hearing kit, strobe light and a wheelchair accessible bathroom with grab bars, removable shower wand and shower seat.


Best Standard Online Rate	\$269.00	Per Night	Excluding Taxes & Fees	Select Room
Rate Policy Room Total				
Other Rate Plans				
AAA	\$269.00	Per Night	Excluding Taxes & Fees	Select Room
Rate Policy Room Total	\$242.10			

[More Room Details +](#)




Single Queen Non Smoking

Our Single Queen Accessible Non Smoking room consists of a Queen size bed with plush bedding. This room is ideal for those in need of an accessible bathroom.



Sorry, this room type is Not Available for your selected dates. Please try another set of dates to check the availability of this room type.

Exhibit 13: Point 3 Example of Last Room Sold

4. Reserve, upon request, accessible guest rooms or specific types of guest rooms and ensure that the guest rooms requested are blocked and removed from all reservations systems; and

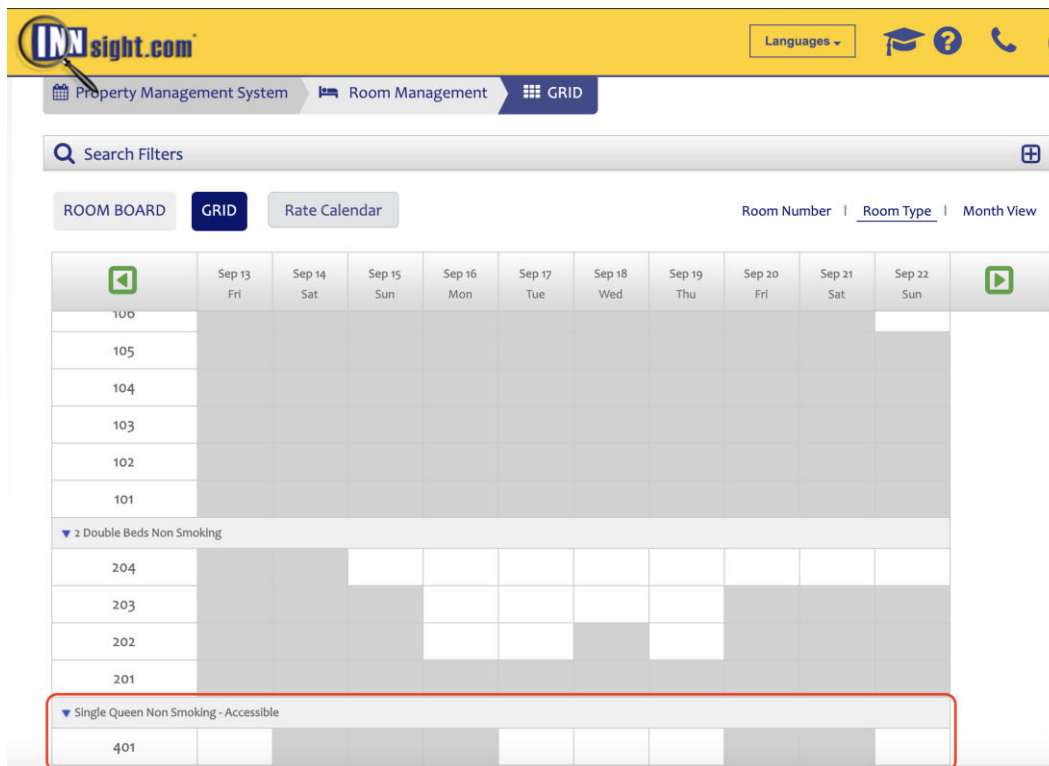


The Bay Bridge Inn is *Powered by INN*sight's full software stack and INN

sight can provide XML logs and evidence that once the 1 accessible guest room is sold, it is fully blocked and removed from all third-party websites within an SLA of minutes.

If the accessible guest room is sold, then it will not show availability on the Reservation Page, and will have been removed from all inventory.

The following exhibits is one of many back-end views of the inventory management systems which can be furnished as evidence that accessible guest rooms are blocked and removed from inventory real-time per Point 4 (grey signals occupied or blocked room inventory):






	Sep 13 Fri	Sep 14 Sat	Sep 15 Sun	Sep 16 Mon	Sep 17 Tue	Sep 18 Wed	Sep 19 Thu	Sep 20 Fri	Sep 21 Sat	Sep 22 Sun
100										
105										
104										
103										
102										
101										
▼ 2 Double Beds Non Smoking										
204										
203										
202										
201										
▼ Single Queen Non Smoking - Accessible										
401										

Exhibit 14: Point 4 Example of Room Inventory Blocking - Back End


Corresponding inventory display for a search for September 14 shows No Availability on front end booking engine as expected in Point 4:

CHECK AVAILABILITY Sep 14  Sep 15  Promo Code + 1 Room, 2 Adults, 0 Children **SEARCH**

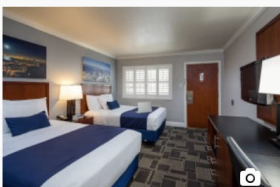





Single Queen Non Smoking - Accessible

The Queen Accessible Guest Room features: wheelchair accessible path of travel, a variety of accessibility features in the guest room including multi-level amenities, A/V hearing kit, strobe light and a wheelchair accessible bathroom with grab bars, removable shower wand and shower seat.


 Sorry, this room type is Not Available for your selected dates. Please try another set of dates to check the availability of this room type.

More Room Details +




2 Double Beds Non Smoking

Our Non Smoking Double Bed can easily accommodate up to 4 people in comfort. The room consists of a work desk and chair, flat screen TV, Alarm Clock, and a private bathroom.

 Sorry, this room type is Not Available for your selected dates. Please try another set of dates to check the availability of this room type.

More Room Details +

Exhibit 15: Point 4 Example of Room Inventory Blocking - Front End Booking Engine

5. Guarantee that the specific accessible guest room reserved through its reservations system is held for the reserving guest, regardless of whether a specific room is held in response to reservations made by others.

Bookability of Accessible Guest Rooms: In the **past 2 years**, from July 2017 to June 2019, **approximately 35 bookings** have been performed **from the website** for **rooms with accessibility features**. All guests have been serviced with no incident. Many of these guests can be readily contacted to testify. Please refer to [Exhibit 5](#) for evidence of an Accessible Guest Room Type having been booked prior to Plaintiff's alleged 'testing' of BayBridgeInn.com website, thereby fully refuting the entirety of her claim.

III. WCAG 2.1 Conformity

In addition to complying with ADA Title III Section 36.302e, hotel websites like Bay Bridge Inn Powered by INNsight are coded to conform to World Wide Web Consortium (W3C) Website Content Accessibility Guidelines (WCAG) 2.0-2.1 Level AA.

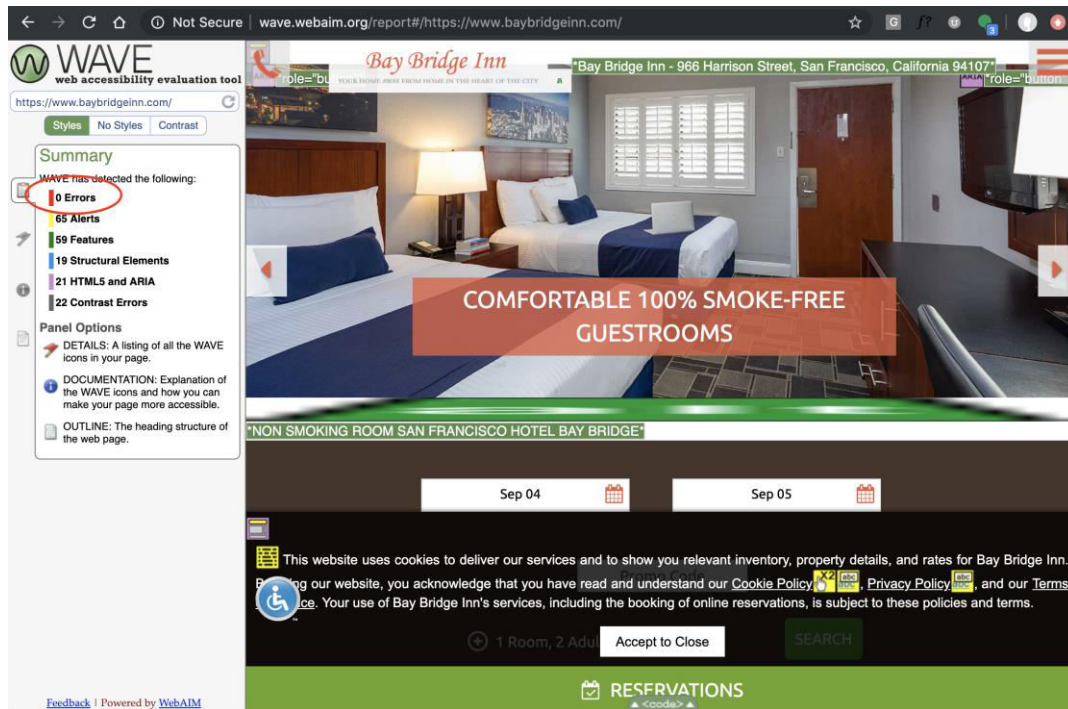


Exhibit 16: WAVE Check BayBridgeInn.com - 0 Errors

Additionally, the Bay Bridge Inn website has a patent-pending software layer providing enhances assistive technology called INNsight ADA Tray™, which can read the entire website aloud, change color schemas and contrasts and derive the website in a means to make it more Perceivable, Operable, Understandable, and Robust. This layer is persistent and demonstrated with a universally accepted handicap symbol. There is a button maintained in the tray 'Hotel Accessibility' which directs users to the hotel's dedicated accessibility features page. The ADA Tray™ widget is ALWAYS available to the user throughout his or her entire experience at BayBridgeInn.com.

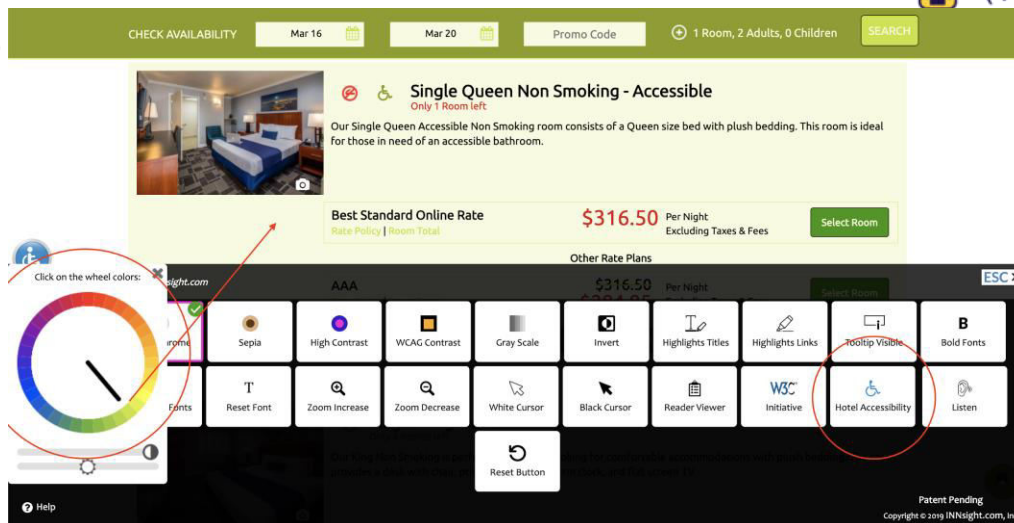
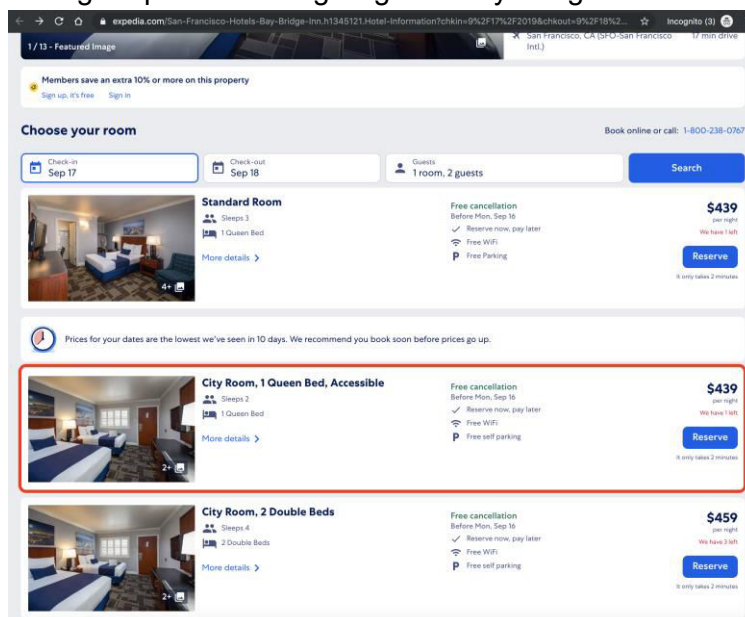


Exhibit 17: ADA Tray™ Deployment of Filter

IV. Additional Example of ADA Title III Compliance

Bay Bridge Inn's wider online presence displays property-level accessibility features and accessible room type and provides the ability to book the accessible room type per the 'Five Points of ADA Title III' e.g. Expedia Booking Page for Bay Bridge Inn:



Example 17: OTA Content and Bookability

Note: Plaintiff's law firm (Manning) website is itself not conforming to WCAG website content accessibility standards, and consultant with glaucoma who visited the website had difficulty engaging with the website to conduct research and business. Wave test shows that there are 5 major POUR errors with website. Plaintiff's attorney is itself exposed to a lawsuit, and at the very least bad optics in public relations.

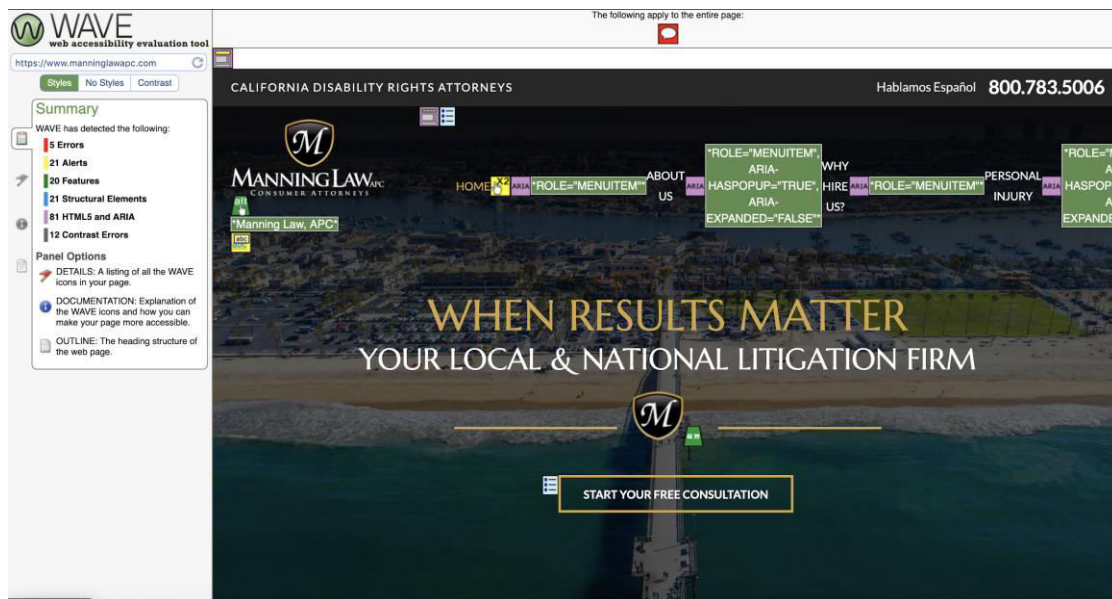


Exhibit 18: Manning Law Firm Failed Wave WCAG Conformity Test

Furthermore, it is interesting to see plaintiff's attorney hypocrisy and leveraging of following language in footer of its website, while maintaining its posture in negotiation for case settlement:

Manning Law, APC has a company-wide commitment to ensuring that Information Technology (IT) is accessible to all people, including those with disabilities. As part of this commitment, our Website has been designed to conform to the requirements to the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines 2.0 AA. Manninglawapc.com is regularly tested and monitored for accessibility, including by persons who are blind or visually-impaired who are proficient with screen reader software. In addition, our team is continuously modifying Manninglawapc.com as technology advances. We recognize that there can always be occasions when users experience difficulty accessing the site. If you experience difficulty viewing any material on our web site, please do not hesitate to contact us at Accessibility@manninglawoffice.com. or call (800) 783-5006. Your feedback and ideas are extremely important to us.