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# ca court of appeal clarifies that purely online businesses are not covered by the ada

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*MSK Client Alert*

November 4, 2022

In a decision that is expected to curtail the high volume of website accessibility claims, the California Court of Appeal held that (1) purely online businesses are not covered by the Americans with Disabilities Act ("ADA"); and (2) the discriminatory effect of a facially neutral policy or action alone does not satisfy the "intentional discrimination" requirement under the Unruh Act.

## Background

Title III of the ADA prohibits discrimination on the basis of disability in the activities of "places of public accommodation." In a prior MSK Client Alert...

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