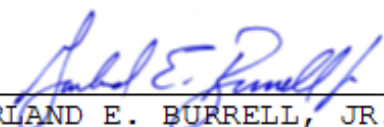


1 concerning the deli counter is denied. (Reply 3:2-4, ECF No. 20.)
2 Further, Plaintiff asserts it is uncontroverted that after his
3 visit to the Market, "Defendants attempted to fix one of the
4 [check-out] counters . . . by bolting [on] a small auxiliary
5 counter." (Defs.' Resp. & Obj. Pl.'s USF ("Pl. SUF") ¶ 14, ECF
6 No. 19.) Plaintiff argues, and relies on a photo of the modified
7 check-out counter in support of his argument, that the "auxiliary
8 counter . . . [is an inadequate remedy since it] is quite small;
9 clearly falling short of the required 36 inches in length."
10 (Pl.'s Not. & Mot. Summ. J. 7:26-8:3, ECF No. 17; see also Potter
11 Decl. Ex. 11, ECF No. 17-13 (photo of the modified auxiliary
12 check-out counter).) However, the photograph Plaintiff presents
13 does not contain a measurement of the check-out counter's length,
14 and therefore is insufficient to "show[] that there is no genuine
15 dispute" as to the counter's compliance with the ADA and Unruh
16 Act. Fed. R. Civ. P. 56(a). Therefore, Plaintiff's summary
17 judgment motion on the Market's check-out counters is denied.

18 For the stated reasons, Plaintiff's summary judgment
19 motion is DENIED.

20 Dated: July 2, 2015

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GARIAND E. BURRELL, JR.
25 Senior United States District Judge
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