

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 15-cv-01348-CMA-CBS

PATRICK MANKAMYER,

Plaintiff,

v.

McCALLISTER RIO GRANDE INVESTMENT, LP,
d/b/a BEST WESTERN PLUS RIO GRANDE INN, and
McCALLISTER FAMILY SOUTH DURANGO, INC.
d/b/a BEST WESTERN PLUS RIO GRANDE INN,

Defendants.

ORDER

Upon consideration of Plaintiff Patrick Mankamyer's ("Plaintiff") Motion for Default Judgment against Defendants McCallister Rio Grande Investment, LP and McCallister Family South Durango, Inc. ("Defendants") (Doc. # 20); Defendants having failed to appear, plead, or otherwise defend this action; the Clerk having entered default on September 3, 2015 (Doc. # 15); and counsel for Plaintiff having filed a proper motion and declarations requesting judgment in accordance with Federal Rule of Civil Procedure 55(a) and (b), Plaintiff's Motion (Doc. # 20) is hereby GRANTED.

Final judgment is hereby entered in favor of Plaintiff and against Defendants as follows:

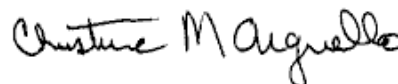
1. Defendants shall alter the property located at 400 East Second Avenue, Durango, Colorado 81301 to make it accessible to and usable by

individuals with disabilities to the full extent required by Title III of the Americans with Disabilities Act by rectifying the following specific ADA violations:

- a. Failing to provide toilet paper dispensers in the proper position in front of the water closet or at the correct height above the finished floor in the men's restroom near the buffet in violation of 2010 ADAAG §§ 604, 605.7, and 309.4;
 - b. Failing to provide the water closet in the proper position relative to the side wall of partition in the men's restroom near the buffet in violation of 2010 ADAAG §§ 604 and 604.2;
 - c. Failing to provide proper insulation or protection for the plumbing under a sink or countertop in the men's restroom near the buffet in violation of 2010 ADAAG §§ 606 and 606.5;
 - d. Failing to provide a coat hook with the proper reach ranges for a person with disabilities in the men's restroom near the buffet in violation of 2010 ADAAG §§ 603, 603.4, and 308;
 - e. Failing to provide an accessible means of entry at the main pool as required for person with disability as required by 2010 ADAAG §§ 242, 242.1, 242.2, and 1009; and
 - f. Providing counter heights in excess of 36 inches at the reception counter making it impossible to service a person with disabilities in violation of 2010 ADAAG §§ 904, 904.4, 904.4.1, and 904.4.2.
2. Plaintiff shall recover from Defendants the sum of \$3,718.20 for attorney's fees and costs.
 3. The Clerk is directed to close this case.

DATED: October 7, 2015

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge