

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

IN RE: HOWARD COHAN ADA CASES¹

HOWARD COHAN,

Plaintiff,

v.

SOUTHEASTERN HOTELS LIMITED
PARTNERSHIP
A FOREIGN LIMITED PARTNERSHIP
doing business as
QUALITY INN & SUITES GULF BREEZE ,

Case No. 3:14cv393/MCR-EMT

TROPICAL ISLE CONDOMINIUM OWNERS
ASSOCIATION INC, A FLORIDA NON PROFIT
CORPORATION doing business as
TROPICAL ISLE CONDO,

Case No. 3:14cv429/MCR-EMT

SUMMER PLACE CONDOMINIUM OWNERS
ASSOCIATION INC A FLORIDA NON-PROFIT
CORPORATION doing business as
SUMMER PLACE RESORT,

Case No. 3:14cv434/MCR-EMT

STERLING SANDS CONDOMINIUM OWNERS
ASSOCIATION INC, A FLORIDA NON PROFIT
CORP, doing business as
STERLING SANDS,

Case No. 3:14cv571/MCR-EMT

¹ Several of the cases previously consolidated for purposes of the hearing have settled and are no longer reflected in this case caption.

**OCEAN RITZ OWNERS ASSOCIATION INC
doing business as
OCEAN RITZ,**

Case No. 5:14cv209/MCR-EMT

**WILLIAM R GRANTHAM
doing business as
HOLIDAY TERRACE MOTEL,**

Case No. 5:14cv213/MCR-EMT

**GRIFFITTS INVESTMENTS LIMITED
PARTNERSHIP, A FLORIDA LIMITED
PARTNERSHIP doing business as
SUGAR SANDS INN & SUITES,**

Case No. 5:14cv218/MCR-EMT

**BIKINI BEACH MOTEL INC
A FLORIDA PROFIT CORPORATION
doing business as
BIKINI BEACH RESORT MOTEL,**

Case No. 5:14cv222/MCR-EMT

**MCLAUGHLIN BEACH TOWER RESORT
MOTEL LLC
A FLORIDA LIMITED LIABILITY COMPANY
doing business as
BEACH TOWER RESORT MOTEL,**

Case No. 5:14cv253/MCR-EMT

**BRONWEN M DUKATE
doing business as
WISTERIA INN,**

Case No. 5:14cv254/MCR-EMT

**BONITA BEACH OWNERS ASSOCIATION INC
A FLORIDA NON PROFIT CORPORATION
doing business as
BONITA BEACH CONDOS,**

Case No. 5:14cv289/MCR-EMT

**ISLANDER MOTEL LLC
A FLORIDA LIMITED LIABILITY COMPANY
doing business as
LA QUINTA INN & SUITES,**

Case No. 5:14cv305/MCR-EMT

Defendants.

ORDER

In each of the above-entitled cases, Plaintiff Howard Cohan seeks injunctive relief under Title III of the Americans with Disabilities Act, as amended, (“ADA”), 42 U.S.C. § 12181, *et seq.*, alleging that Defendants operate places of public accommodation that are not ADA compliant. A two-day evidentiary hearing is currently scheduled beginning June 30, 2015, on issues of Plaintiff’s standing and this Court’s subject matter jurisdiction. Now pending are Plaintiff’s motions in each of the above-listed cases to postpone the hearing or allow him to appear by telephone. Plaintiff represents that his impairments now confine him to his home and bed, and a note from his doctor confirms that he is unable to travel. Plaintiff also represents that the case could be decided based on the affidavits and materials already in the record.

In light of the Plaintiff’s current medical condition, the Court will not require him to attend an evidentiary hearing at this time. Thus, the evidentiary hearing will be canceled, and instead, the Court will hear counsel’s oral arguments on the issues of standing and subject matter jurisdiction.

Accordingly, Plaintiff’s Motions to Postpone Court’s June 30, 2015 and July 1, 2015 Hearing on Plaintiff’s Standing to Sue and the Court’s Subject Matter Jurisdiction, or in the Alternative to Allow Him to Appear Via Telephone in the above-entitled cases are **GRANTED in part** and **DENIED in part** as follows:

1. The scheduled evidentiary hearing is **CANCELED**. However, the Court will hear **oral arguments** by counsel on **Tuesday, June 30, 2015**, beginning at 8:30 a.m. Central Time in the United States Courthouse, Winston E. Arnow Building, 100 North Palafox Street, in Pensacola, Florida.
2. Plaintiff’s presence is excused but counsel must appear in person.
3. Proceedings on Wednesday, July 1, 2015, are **CANCELLED**.

4. The Clerk is directed to file a copy of this Order in each of the above-entitled cases.

DONE and ORDERED on this 26th day of June, 2015.

M. Casey Rodgers

**M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE**