

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA

IN RE: HOWARD COHAN ADA CASES<sup>1</sup>

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

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<sup>1</sup> 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.**

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**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*

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