

The Civil Rights Education and Enforcement Center, on Behalf of Itself, and Ann Cupolo-Freeman and Julie Reiskin, on behalf of themselves and all others similarly situated,

v.

Ashford Hospitality Trust, Inc.,

Case No. 15-cv-00216-DMR  
U.S. District Court, Northern District of California

**IMPORTANT NOTICE TO ALL PEOPLE WITH DISABILITIES WHO USE WHEELCHAIRS OR SCOOTERS WHO HAVE VISITED OR WERE DETERRED FROM VISITING HOTELS OWNED BY ASHFORD HOSPITALITY TRUST, INC.**

This notice summarizes the proposed class action settlement. For the precise terms and conditions of the settlement, please see the settlement agreement available at [www.creeclaw.org/ashford](http://www.creeclaw.org/ashford), by contacting class counsel at Timothy P. Fox, Civil Rights Education and Enforcement Center, 104 Broadway, Suite 400, Denver, CO 80203, email: [tfox@creeclaw.org](mailto:tfox@creeclaw.org), by accessing the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, Oakland Courthouse between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT.**

Notice of Class Action: A class action lawsuit is currently pending involving a challenge to the transportation services offered by hotels owned by Ashford Hospitality Trust, Inc.; specifically, the case alleges that the failure to provide wheelchair-accessible transportation services that are equivalent to the inaccessible transportation services provided by the hotel violates Title III of the Americans with Disabilities Act. The lawsuit seeks only injunctive relief, meaning, for example, an order requiring a change in policies or purchase of wheelchair-accessible vehicles. The following class was certified by the Court on December 18, 2015:

All individuals with disabilities who use wheelchairs or scooters for mobility who, from January 15, 2013 to December 10, 2015, have been denied the full and equal enjoyment of transportation services offered to guests at Hotels owned and/or operated by Ashford because of the lack of equivalent accessible transportation services at those Hotels.

The parties to the lawsuit have negotiated a proposed settlement that resolves claims relating to the accessibility concerns for individuals who use wheelchairs or scooters concerning the transportation services at certain hotels. In those negotiations, Plaintiffs and the Class are represented by Timothy P. Fox, Bill Lann Lee, Julie Wilensky, and Sarah Morris of the Civil

**Please read this Notice carefully. It affects your legal rights.**

Rights Education and Enforcement Center, Kevin W. Williams of the Colorado Cross-Disability Coalition, and Julia Campins and Hillary Benham-Baker of Campins Benham-Baker, LLP. The Defendant in the case is Ashford Hospitality Trust, Inc. (the “Defendant”). The Defendant is represented by Nolan Armstrong of McNamara, Ney, Beatty, Slattery, Borges & Ambacher LLP.

Locations Covered by the Settlement: The proposed settlement covers all hotels nationwide owned by Ashford. A full list of these hotels is available at [www.ahltreit.com](http://www.ahltreit.com).

Proposed Class Action Settlement: The Class Action Settlement Agreement (“Settlement”) provides that all of the hotels owned by Ashford that provide transportation services to their guests will provide equivalent accessible services to guests who use wheelchairs or scooters. These equivalent accessible services will be equivalent in timing, notice, routes or geographic scope, fares, hours, reservations, and restrictions. The Settlement provides for three years of monitoring of the Ashford Hotels to ensure compliance.

Your Rights as a Class Member: If you are a person with a disability who uses a wheelchair or scooter and who, from January 15, 2013 to December 10, 2015, has experienced any problems with access to hotel-provided transportation services at any Ashford hotel as a result of your Mobility Disability, you are a member of the proposed Settlement Class. A Mobility Disability for purposes of this Settlement means a disability or condition which substantially limits a person in the major life activity of walking.

The Court has granted Preliminary Approval of the Settlement. A Final Approval hearing will be held on March 10, 2016 at 11:00 a.m in the Courtroom of U.S. Magistrate Judge Donna M. Ryu in Oakland, California, to evaluate the fairness of the Settlement, and to decide whether to grant Final Approval. The date of this hearing may change without further notice to the Class. If the Settlement Agreement is given Final Approval, all Class members will be bound by the provisions of the Settlement with respect to claims for injunctive relief under the Americans with Disabilities Act, the California Unruh Act, or any public accommodation provision of any federal, local, or state statutory, regulatory, or common law concerning the provision of wheelchair-accessible transportation services at Ashford Hotels. Any and all claims for injunctive relief that the transportation services provided by Ashford hotel are in violation of these statutes with respect to access for individuals who use wheelchairs or scooters up until December 10, 2015 will be barred. The Settlement does not affect or release class members’ rights to seek claims for monetary damages. Class Counsel plan to seek \$165,000 in attorneys’ fees and costs for litigating and monitoring this class action and Settlement.

You may object to the proposed Settlement in writing. You may also appear at the Final Approval hearing. All written objections must (a) clearly identify the case name and number listed above and (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, Clerk, Ronald V. Dellums Federal Building & United States Courthouse, 1301 Clay Street, Oakland, CA 94612, or by filing them in person at any location of the United States District Court for the Northern District of California, and (c) be filed or postmarked on or before February 19, 2016.

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