

United States Court of Appeals

For the Eleventh Circuit

FILED
2011 JAN 27 AM 9:42
US DISTRICT COURT
MIDDLE DISTRICT OF FL
ORLANDO FLORIDA

No. 09-15668	FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT Dec 14, 2010 JOHN LEY CLERK
District Court Docket No. 07-01785-CV-ORL-31-KRS	

**MAHALA AULT,
STACIE RHEA,
DAN WALLACE,**
on their own behalf and on behalf of all
other similarly situated,

Plaintiffs-Appellants,

**JERRY MILLER,
DISABILITY RIGHTS ADVOCATES FOR TECHNOLOGY,
JERRY KERRY, et al.,**

Intervenor-Plaintiffs-Appellees,

versus

WALT DISNEY WORLD CO.,

Defendant-Appellee.

A True Copy - Attested
Clerk U.S. Court of Appeals,
Eleventh Circuit
By: *[Signature]*
Deputy Clerk
Atlanta, Georgia

**Appeal from the United States District Court
for the Middle District of Florida**

J U D G M E N T

It is hereby ordered, adjudged, and decreed that the attached opinion included herein by reference, is entered as the judgment of this Court.

Entered: December 14, 2010
For the Court: John Ley, Clerk
By: Gilman, Nancy

ISSUED AS MANDATE
JAN 24 2011
U.S. COURT OF APPEALS
ATLANTA GA

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 09-15668

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
DEC 14, 2010
JOHN LEY
CLERK

D. C. Docket No. 07-01785 CV-ORL-31-KRS

MAHALA AULT, STACIE RHEA,
DAN WALLACE, on their own behalf and
on behalf of all other similarly situated,

Plaintiffs-Appellants

JERRY MILLER, DISABILITY RIGHTS ADVOCATES
FOR TECHNOLOGY, JERRY KERRY, et al

Intervenor-Plaintiffs-Appellees,

versus

WALT DISNEY WORLD CO.,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Florida

(December 14, 2010)


Before WILSON, PRYOR and ANDERSON, Circuit Judges.

PER CURIAM:

After oral argument and careful consideration, we conclude for the reasons fully discussed at oral argument that the district court erred in concluding that the named plaintiffs lacked prudential standing. The interests sought to be protected by the named plaintiffs are arguably within the zone of interest protected by 42 U.S.C. § 12182.

Accordingly, we vacate the judgment of the district court and remand for further proceedings, including *inter alia* a determination as to whether the claims of the named plaintiffs are typical of the claims of the class and whether they are adequate representatives of the class.

VACATED and REMANDED.

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Eleventh Circuit
By: 
Deputy Clerk
Atlanta, Georgia

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT
BILL OF COSTS

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
DEC. 27 2010
JOHN LEY
CLERK

Mahala Ault, Stacie Rhea, Dan Wallace
Appellant

Appeal No. 09-15668

Walt Disney World Co.

A Bill of Costs should only be filed when the Clerk's Office has advised a party that the party is entitled to costs. Fed.R.App.P. 39 and 11th Cir. R. 39-1 (see reverse) govern costs taxable in this court and the time for filing the Bill of Costs. A motion for leave to file out of time is required for a Bill of Costs not timely received.

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Appellee's Brief							
Reply Brief							
					TOTAL	\$ 86.25	\$ 86.25
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I hereby swear or affirm that the costs claimed were actually and necessarily incurred or performed in this appeal and that I have served this Bill of Costs on counsel/parties of record.

Date Signed: December 22, 2010 Signature: [Signature]

Attorney for: Mahala Ault et al. Attorney Name: Christopher A. Pace
(Type or print name of client) (Type or print your name)

FOR COURT USE ONLY

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Eleventh Circuit

Costs are hereby taxed in the amount of \$ 86.25 against Appellee
and are payable directly to Appellant

By: [Signature]
Deputy Clerk
Atlanta, Georgia

John Ley, Clerk of Court

By: Tina A. Patterson
Deputy Clerk

Issued on: JAN 24 2011

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of the Court

For rules and forms visit
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January 24, 2011

Sheryl L. Loesch
Clerk, U.S. District Court
401 W CENTRAL BLVD STE 1-200
Orlando FL 32801-0120

Appeal Number: 09-15668-FF
Case Style: Mahala Ault v. Walt Disney World Co.
District Court Number: 07-01785 CV-ORL-31-KRS

FILED
2011 JAN 27 AM 9:34
US DISTRICT COURT
MIDDLE DISTRICT OF FL
ORLANDO FLORIDA

The enclosed certified copy of the judgment and a copy of this court's opinion are hereby issued as the mandate of this court.

Also enclosed are the following:

Bill of Costs

Original Exhibits, consisting of: five folders
Original record on appeal or review, consisting of: twelve volumes

The clerk of the court or agency shown above is requested to acknowledge receipt on the copy of this letter enclosed to the clerk.

A copy of this letter, and the judgment form if noted above, but not a copy of the court's decision, is also being mailed to counsel and pro se parties. A copy of the court's decision was previously mailed to counsel and pro se parties on the date it was issued.

Sincerely,

John Ley, Clerk of Court

Reply To: James O. Delaney (404) 335-6113

Encl.