

The requirements of Fed. R. Civ. P. 23(a) have been satisfied. The so-called "numerosity" requirement is not contested. Moreover, there are common questions of law and fact regarding whether Defendants have violated the ADA and the Rehabilitation Act. The claims of the named Plaintiffs are typical of the claims of the class. Finally, Plaintiffs' counsel would represent the class well, and there is no conflict among the interests of the various class members likely to arise. In the unlikely event that a conflict should appear, the court may address it at a later date.

In addition to the requirements under Rule 23(a), Plaintiffs have satisfied the requirement of Fed. R. Civ. P. 22(b)(2). Defendants have acted, or failed to act, on grounds generally applicable to the entire class, making final injunctive relief appropriate to the class as a whole.

A relatively minor issue regarding the wording of the class definition remained outstanding at the close of oral argument on September 24, 2007. Counsel are ordered to report to this court no later than October 1, 2007 regarding their negotiations on this issue.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR

U. S. District Judge