

# How accessiBe helped a Plastic Surgeon get a digital accessibility lawsuit dismissed



## Key takeaways

- ✓ accessiBe was explicitly recognized by the Eastern District Court of NY as a measure for improving website accessibility, leading to the dismissal of the lawsuit
- ✓ accessiBe's Litigation Support played a crucial role in securing the dismissal of this lawsuit, with the accessiBe team offering guidance and necessary materials in a SLA with quick turnaround times
- ✓ When you choose accessiBe, you're choosing a web accessibility partner who will be with you every step of the way

The judge ruled that these measures, **“and the site’s use of an accessibility widget”, were “sufficient to assure the Court that there is no reasonable expectation that the [accessibility] issues purportedly identified by Plaintiff will recur.”**

## The challenge

Dr. Hidalgo, a plastic surgeon based in New York, faced a significant challenge when a plaintiff filed an ADA lawsuit against him, alleging his website was not accessible to people with disabilities. Confronted with serious legal and reputational risks, Dr. Hidalgo and his team turned to accessiBe for support.

### The problem to solve

In 2024, more than 4,000 ADA digital accessibility lawsuits were filed, with most targeting small to mid-sized businesses. It means businesses like Dr. Hidalgo’s needed to:

#### Address unwarranted claims

- 01 Even businesses actively working on accessibility can become targets of opportunistic lawsuits, putting them at risk of costly legal battles. Having a trusted partner like accessiBe is essential for getting the right information needed to defend against unwarranted claims.

#### Prove accessibility efforts

- 02 Without the right documentation, demonstrating accessibility compliance can be complex and time-consuming. Dr. Hidalgo needed clear evidence to prove his website’s accessibility.

#### Defend with confidence

- 03 Facing legal action can be overwhelming. Dr. Hidalgo required expert guidance and legal support to navigate the process and defend his case effectively.

## The solution

Dr. Hidalgo leveraged accessiBe’s Litigation Support and expert guidance to counter unwarranted claims. With accessiBe’s built-in documentation, Dr. Hidalgo demonstrated commitment to ongoing monitoring and maintenance, demonstrating efforts to meet legal standards and creating a digital space where everyone feels welcome.

### Here are some of the benefits:

#### A dedicated case manager and trusted advocate

- 01 You’ll have a trusted advocate guiding you at every step, offering tailored support and expertise from start to finish

#### Top ADA attorney consultation

- 02 Gain expert advice from a top ADA attorney with vast experience in accessibility and compliance, providing your team with invaluable guidance and strategic insights

#### Proof of accessibility documentation:

- 03 Receive documentation to confirm your website’s accessibility status and details of your compliance efforts

#### Claim analysis & responses

- 04 ICAAP-certified experts evaluate every complaint, review your website, and deliver a comprehensive report with responses to challenge the claims

#### Multi-verification testing

- 05 For added confidence, we leverage multiple industry leading testing tools to scan your website and validate its accessibility

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"accessiBe's support was a tremendous help. Being involved in litigation is never easy, but accessiBe quickly provided the necessary documents and reports that showcased our accessibility efforts. Their prompt and thorough response was key in demonstrating our commitment to compliance and ultimately contributed to the dismissal of the case."

David Hidalgo, MD FACS

## Ready to protect your website from legal challenges?

Learn more about accessiBe’s solutions and get started today

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