

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.:

LINDA FORREST, and
COLORADO CROSS-DISABILITY COALITION, a Colorado non-profit organization,

Plaintiffs,

v.

AMERICAN PSYCHOLOGICAL ASSOCIATION, INC.,
CITY AND COUNTY OF DENVER, COLORADO,
LEGENDS HOSPITALITY, LLC,
LEGENDS HOSPITALITY PARENT HOLDINGS, LLC, and
SMG d/b/a ASM GLOBAL, a Pennsylvania company,

Defendants.

COMPLAINT

Plaintiffs Dr. Linda Forrest and the Colorado Cross-Disability Coalition, by and through undersigned counsel, hereby bring this Complaint against the American Psychological Association (“APA”) for violations of Title III of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12181-12189; against the City and County of Denver, Colorado, (“the City”) for violations of Title II of the ADA, 42 U.S.C. §§ 12131–12134, and the Rehabilitation Act of 1973 (“Rehabilitation Act”), 29 U.S.C. §§ 794–794a; against Legends Hospitality, LLC, Legends Hospitality Parent Holdings, LLC, and SMG d/b/a ASM Global (collectively “Legends Global”) for violations of Title III of the ADA; and against all Defendants for violations of the Colorado Anti-Discrimination Act (“CADA”), Colo. Rev. Stat. §§ 24-34-601 and 24-34-802.

Introduction

1. More than thirty-five years ago, on July 26, 1990, the ADA became law, establishing the most important federal civil rights law for people with disabilities in the nation's history.

2. The ADA, the most sweeping legislation for the protection of people with disabilities, was passed to ensure people with disabilities are not discriminated against by, *inter alia*, public entities such as the City and by private entities such as the APA and Legends Global.

3. Title II of the ADA specifically applies to public entities, such as the City, and Title III of the ADA specifically applies to public accommodations such as the APA and Legends Global.

4. The Rehabilitation Act became law in 1973, making it unlawful for recipients of federal financial aid, such as the City, to discriminate against people with disabilities.

5. Colorado's state law equivalent, CADA, has prohibited discrimination on the basis of disability since before the enactment of the ADA and was recently amended to prohibit public entities from discriminating on the basis of disability, matching the long-standing prohibition of discrimination by public accommodations.

6. Despite these longstanding laws, Plaintiff Dr. Linda Forrest, a highly acclaimed psychologist with a rich history with the APA and in the profession, did not receive effective communication during the 2025 APA Annual Convention at the Colorado Convention Center.

7. Plaintiffs seek a court order compelling Defendants to comply with the ADA, the Rehabilitation Act, and CADA, statutory penalties, and the recovery of their reasonable

attorneys' fees and costs.

Jurisdiction and Venue

8. This Court has jurisdiction over the federal claims in this action pursuant to 28 U.S.C. §§ 1331 and 1343, and supplementary jurisdiction over the state law claims in this action pursuant to 28 U.S.C. § 1367(a). Declaratory relief is available pursuant to 28 U.S.C. § 2201 and Rule 57 of the Federal Rules of Civil Procedure. Injunctive relief is authorized by 28 U.S.C. § 2202 and Rule 65 of the Federal Rules of Civil Procedure.

9. Venue is proper within this District pursuant to 28 U.S.C. § 1391.

Parties

10. Plaintiff Dr. Linda Forrest is a resident of Portland, Oregon.

11. Dr. Forrest has been a psychologist for over forty years and a long-time member of the American Psychological Association.

12. Over that time, Dr. Forrest has served in many roles at the University of Oregon, from Associate Dean for Academic Programs to Associate Director of the Center on Diversity and Community.

13. Dr. Forrest is currently Professor Emerita in the University of Oregon's Department of Counseling Psychology and Human Services.

14. Dr. Forrest has severe hearing loss in both ears.

15. As a result of Dr. Forrest's severe hearing loss, she has used hearing aids since 2006.

16. Dr. Forrest is substantially limited in the major life activity of hearing.

17. Due to her disability, Dr. Forrest requires auxiliary aids and services, specifically the use of an assistive listening system, to ensure effective communication.

18. Plaintiff Colorado Cross-Disability Coalition (“CCDC”) is a Colorado nonprofit membership organization whose members are persons with disabilities and their non-disabled allies.

19. Dr. Forrest is a CCDC member.

20. CCDC regularly hosts events for members, donors, the public, and others and for which it rents spaces in venues, such as the Colorado Convention Center.

21. Defendant City and County of Denver (“the City”) is a home rule municipality under Article XX, § 6 of the Colorado Constitution. As such, it is a public entity as that term is used in Title II of the ADA, 42 U.S.C. §§ 12131-12134, and Colo. Rev. Stat. §§ 24-34-301, 24-34-802.

22. The City is a recipient of federal financial assistance as that term is used in the Rehabilitation Act, 29 U.S.C. § 794.

23. The City owns and operates the Colorado Convention Center located in downtown Denver.

24. Defendant SMG is, on information and belief, a Pennsylvania general partnership.

25. SMG does business in Colorado as ASM Global.

26. On information and belief, ASM Global provides management services, including operations, maintenance, and marketing services for venues, such as convention centers.

27. On or about May 31, 2023, the City entered into a “Management Agreement for

the Colorado Convention Center” with Defendant SMG, doing business as (d/b/a) ASM Global, in which SMG, d/b/a ASM Global, agreed to provide its management services to the City at the Colorado Convention Center.

28. On or about June 5, 2023, the Denver City Council approved and adopted the “Management Agreement for the Colorado Convention Center” by resolution number CR23-0570.

29. Defendant Legends Hospitality, LLC, is a Delaware limited liability company that, on information and belief, provides management services, including operations, maintenance, and marketing services for venues, such as convention centers.

30. Defendant Legends Hospitality Parent Holdings, LLC, is a Delaware limited liability company that, on information and belief, owns and operates Legends Hospitality, LLC.

31. On information and belief, on or about August 23, 2024, Defendant Legends Hospitality Parent Holdings, LLC, acquired Defendant SMG and later merged it with Defendant Legends Hospitality, LLC, into a new entity known as “Legends Global.”

32. According to its website, legendsglobal.com (last visited June 1, 2026), Legends Global operates over 450 venues worldwide.

33. On information and belief, Legends Global provides “a fully integrated solution to premium services, including feasibility & consulting, owner’s rep, sales, partnerships, venue management, hospitality, merchandise, and content & booking,” *The Denver Alliance*, Colo. Convention Ctr., <https://denverconvention.com/about-us/our-story/the-denver-alliance> (last visited July 9, 2026), for the Colorado Convention Center.

34. Legends Global manages the Colorado Convention Center.

Facts

35. The Colorado Convention Center opened in approximately 1990.

36. The Colorado Convention Center, located at 700 14th Street, is in the heart of the downtown Denver area and within blocks of the 16th Street Mall.

37. The Colorado Convention Center is near many arterial roads offering ready access from interstate highways.

38. The Colorado Convention Center offers ample parking options, but it is also located on or near many public transportation stops.

39. The Colorado Convention Center is surrounded by numerous hotels and restaurants.

40. Since it opened, the Colorado Convention Center has undergone significant renovations, including expansions in 2005 and 2024.

41. The most recent expansion began in approximately 2020 and was completed in approximately late 2023, opening in early 2024.

42. The City describes the most-recent Colorado Convention Center Expansion Project as including “access to an additional 150,000 square feet of meeting space”

Colorado Convention Center Expansion Project, Denver,

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directories/Department-of-Transportation-and-Infrastructure/Programs-Services/Projects/Colorado-Convention-Center-Expansion> (last visited July 9, 2026).

43. The City also provides “Community Partners Presentations” that updated the community as work progressed that, on information and belief, were from presentations the City provided between December 2020 and December 2022. *Id.*

44. The December 14, 2020, presentation notes that the expansion adds “80,000 square feet of flexible meeting and ballroom space.” Denver, *Colorado Convention Center Expansion Project 12* (Dec. 14, 2020), <https://www.denvergov.org/files/assets/public/v/1/doti/documents/projects/cccxp/cccxp-community-presentation-121420.pdf>.

45. The April 21, 2021, presentation clarifies that the expansion will total “[o]ver 200,000 square feet of new space.” Denver, *Colorado Convention Center Expansion Project 12* (Apr. 21, 2021), <https://www.denvergov.org/files/assets/public/v/1/doti/documents/projects/cccxp/cccxp-community-presentation-042121.pdf>.

46. On information and belief, Defendant City, Defendants Legends Global, or both maintain a robust website related to the Colorado Convention Center: www.denverconvention.com.

47. The Colorado Convention Center website provides a brochure advertising its spaces and services. Visit Denver, *The Colorado Convention Center*, https://denverconvention.com/media/general/pdf/CCCexpansion_2.10.23.pdf (last visited June 1, 2026).

48. The Colorado Convention Center’s brochure states that “[a]ll of the 63 hotel-

quality meeting rooms feature state-of-the-art, computer-controlled audio capabilities, fiber optic, color-coordinated chairs and walls, deluxe carpeting and top-quality lighting controls.” *Id.* at 10.

49. The Colorado Convention Center website also provides an “Event Planning Guide” at https://denverconvention.com/media/general/Event-Planners-Guide_2026-05-05-175316_wter.pdf.

50. The Event Planning Guide describes the Colorado Convention Center’s rentable spaces, such as their dimensions and features. *See id.*

51. The Event Planning Guide describes the Colorado Convention Center’s audio system, in pertinent part, as follows:

The CCC operates a computer-controlled audio system that covers the ballrooms, meeting rooms, and exhibit halls. Volume levels are automatically optimized to ensure quality sound without feedback.

Only Technical Services staff may operate the house audio system.

Id. at 6.

52. Among the features for meeting rooms at the Colorado Convention Center are “Full AV, sound reinforcement, and lighting capabilities.” *Id.* at 22.

53. While the Event Planning Guide notes that “[a]ssistive listening devices [are] available,” in the Bellco Theatre, *id.* at 20, it makes no similar provision for the meeting rooms, the Four Seasons Ballroom, or the Mile High Ballroom, *id.* at 21–22.

54. The Colorado Convention Center website also provides the Convention Center’s “Standard Set Policy,” which describes the various standard room set-ups for the meeting rooms

and for the ballrooms. CCC Standard Set Policy,

<https://denverconvention.com/media/general/Contractual-Initial-Room-Set-Policy-2024-2-1.pdf>

(last visited June 5, 2026).

55. According to the Standard Set Policy, the “One-Time Initial Meeting Room Standard Set Includes,” among other things, “Microphone Provision: Two (does not include wireless mics).” *Id.* at 1.

56. The Standard Set Policy also provides that “One-time Initial Ballroom Standard Set Includes” a “Microphone Provision: Three (does not include wireless mics).” *Id.* at 1.

57. On information and belief, all of the sixty-three meeting rooms at the Colorado Convention Center offer audio amplification.

58. On information and belief, none of the sixty-three meeting rooms at the Colorado Convention Center contain Assistive Listening Systems.

59. On information and belief, audio communication is usually integral to the use of the meeting rooms at the Colorado Convention Center.

60. The APA holds an Annual Convention each year.

61. The APA’s Annual Conventions are generally well attended by psychologists in the United States.

62. According to the APA’s Annual Convention website for its upcoming 2026 convention, the APA anticipates thousands of psychologists attending in person and virtually.

See Am. Psychological Ass’n, *APA 2026*, <https://convention.apa.org/>

[<https://web.archive.org/web/20260530170818/https://convention.apa.org/>] (last visited May 30,

2026).

63. The APA's Annual Conventions are also well attended by vendors and exhibitors targeted at psychologists.

64. The APA's Annual Convention offers attendees access to hundreds of sessions over a multi-day period covering all facets of the profession.

65. Attendees of the APA's Annual Convention are exposed to the most recent scholarship and developments in the field, changes and emerging trends in the industry, and unparalleled networking opportunities.

66. For example, the APA's 2026 convention website advertised: "From groundbreaking research to evidence-based practice, APA 2026 brings psychology together to share discoveries, spark innovation, and shape the future of the field." *Id.*

67. Dr. Forrest has been a fixture at the APA's Annual Conventions for decades, often attending with several of her graduate students to model professionalism, assist with networking, and introduce students to the profession.

68. In addition to attending the APA Annual Conventions, Dr. Forrest often participates as a presenter or facilitator during the Annual Conventions.

69. For example, Dr. Forrest chaired the APF Spielberger EMPathy Symposium at the 2025 APA Annual Convention, which took place on Friday, August 8, 2025, from 1:00 p.m. to 2:00 p.m., in meeting room 303 on the street level of the Colorado Convention Center.

70. The EMPathy Symposium featured Dr. Barbara Frederickson, a distinguished professor from the University of North Carolina at Chapel Hill, and was intended to "stimulate

and facilitate the integration and dissemination of knowledge in . . . important areas of psychological inquiry” through a question-and-answer session.

71. Since 1991, Dr. Forrest has presented nearly one hundred times at the APA’s Annual Conventions, frequently presenting at numerous sessions each year.

72. Dr. Forrest has taken a leadership role in the profession more generally during her career as well, including years of dedicated service to the APA itself and to several of its divisions in multiple capacities, including chairing numerous APA boards, committees, and initiatives.

73. For instance, Dr. Forrest served as the Chair of the APA Ethics Committee, had two terms on the APA Council of Representatives, was President of APA Division 17, and is a Fellow in APA Divisions 17, 35, 44, and 45.

74. Dr. Forrest also was elected to several APA committees, including the Board of Educational Affairs, the Membership Board, and the Committee on Women in Psychology.

75. Dr. Forrest has also provided leadership in similar entities such as the American Psychological Foundation, Society of Indian Psychologists, Oregon Psychological Association, Michigan Psychological Association, Council of Counseling Psychology Training Programs, American Association for Counseling Development, American College Personnel Association, and many more.

76. Dr. Forrest has repeatedly been honored by numerous APA divisions as well as the APA with awards for her work in and dedication to the field of psychology.

77. In 1995 and 1997, Dr. Forrest received the APA Division 17’s Woman of the

Year Award.

78. In 2009, Dr. Forrest received the APA Division 35's Strickland Daniel Distinguished Mentoring Award.

79. In 2010, Dr. Forrest received the APA Division 17's Lifetime Mentoring Award.

80. In 2011, Dr. Forrest received the APA's Distinguished Leader for Women in Psychology Award and an APA Presidential Citation.

81. In 2012, Dr. Forrest received the APA's Educational Advocacy Distinguished Service Award.

82. In 2017, Dr. Forrest received the Distinguished Elder Award at the National Multicultural Conference and Summit, and in 2018, Dr. Forrest received the APA's Distinguished Contributions to the Applications of Psychology to Education and Training Award.

83. In 2019, Dr. Forrest received the Society of Counseling's Leona Tyler Award for Lifetime Achievement in Counseling Psychology, which is the Society's most prestigious award.

84. Dr. Forrest received the APA's Outstanding Contributions to Ethics Award in 2019.

85. In 2020, Dr. Forrest received one of the APA's most prestigious awards for service to the profession, the Raymond D. Fowler Award for Outstanding Contributions to the APA.

86. The 2025 APA Annual Convention was scheduled to take place at the Colorado Convention Center beginning on Tuesday, August 5, 2025, and ending on Saturday, August 9,

2025, with the first two days devoted largely to APA business meetings and the subsequent three days offering programs and exhibits to attendees.

87. Dr. Forrest registered for the 2025 APA Annual Convention on June 13, 2025, via the APA's website.

88. Dr. Forrest indicated in her registration that she required accommodations due to her hearing loss, and she specified that she required an "Assistive listening device" while registering, which is reflected on her invoice from the APA, ID number 8405.

89. On July 7, 2025, Dr. Forrest received an e-mail from a staffer with the APA, Lesley Murdock, indicating that only two locations in the Colorado Convention Center offered an assistive listening system ("ALS")—the Four Seasons Ballroom and the Mile High Ballroom—and that Dr. Forrest could receive an assistive listening device at a disability services desk at the Convention Center.

90. Dr. Forrest could not believe that only two of the more than sixty spaces that were being used for the convention offered ALSSs, whether provided by the Colorado Convention Center itself or by the APA.

91. Dr. Forrest typically attends the opening session and business meeting portions of the APA Annual Conventions, but she did not attend those meetings in 2025.

92. Dr. Forrest arrived at the Colorado Convention Center on the evening of Thursday, August 6, 2025, at approximately 6:00 p.m., and attended an APA Past-Presidents dinner with a friend who had recently served as the APA's President.

93. The following day, Friday, August 7, 2025, Dr. Forrest arrived at the Colorado

Convention Center early in the morning and went directly to the disability services desk.

94. Dr. Forrest recognized the APA staff person working at that desk as Ms. Murdock.

95. Ms. Murdock and Dr. Forrest spoke, and Ms. Murdock confirmed that the Colorado Convention Center only offered ALS in the two ballrooms and that there were no other ALS options for Dr. Forrest.

96. Although Ms. Murdock was courteous, she did not seem to understand the impact the lack of appropriate auxiliary aids and services would have on Dr. Forrest's experience during the convention or her need for effective communication, and Ms. Murdock offered no other alternatives.

97. None of the programs Dr. Forrest wanted or needed to attend were held in either of the ballrooms with ALS.

98. Neither the APA, nor Legends Global, nor the City provided ALS in any other locations of the Colorado Convention Center for Dr. Forrest.

99. Dr. Forrest attended multiple programs over two days, including the symposium she chaired, but none of the locations had an ALS available for Dr. Forrest's use.

100. As a result of the lack of available ALSs throughout the meeting rooms of the Colorado Convention Center, Dr. Forrest was unable to hear most of the programs, despite all presenters having microphones available.

101. Dr. Forrest repeatedly requested that presenters use the provided microphones when the presenters failed to use them, and she repeatedly requested that presenters using

microphones hold them closer to their mouths when speaking to improve the sound.

102. Unlike other participants without disabilities, Dr. Forrest had to constantly advocate for herself during the presentations to participate at the 2025 APA Annual Convention, and even with that advocacy, Dr. Forrest was not able to hear and understand most of the presentations she attended.

103. Even when presenters would use the provided microphones and hold them closely when speaking, Dr. Forrest was still unable to understand most of the communication that occurred during the sessions she attended due to the lack of ALSs.

104. Many presentations also consisted of audience comments and questions, and roving microphones were not provided for audience communication in any meeting rooms in which Dr. Forrest attended presentations.

105. Due to the lack of ALSs and roving microphones for audience communication, Dr. Forrest was unable to understand most of the audience commentary and questions.

106. Even during the symposium Dr. Forrest chaired, she was unable to facilitate the audience's questions and commentary because she was unable to hear the audience members.

107. As a result, Dr. Forrest had to rely on the symposium's guest, Dr. Frederickson, to facilitate the question-and-answer segments, which caused Dr. Forrest distress because, in the absence of effective communication, she was not able to provide the leadership normally handled by the chair of a symposium and respected leader in the profession.

108. On the afternoon and evening of Saturday, August 9, 2025, Dr. Forrest attended three 2025 APA Annual Convention meetings that were held in the Hyatt Regency Denver hotel,

which is directly across 14th Street from the Colorado Convention Center:

- a. 875: Saturday, August 09
3:00 PM-4:00 PM
Session Type: Division Presidential Address
Session title: Presidential Address: Melanie M. Wilcox
Room: Hyatt Regency Denver, Level 3, Centennial Ballroom H
Division: 17 - Society of Counseling Psychology
- b. 901: Saturday, August 09
4:30 PM-6:00 PM
Session Type: Business Meeting
Session title: Business Meeting
Room: Hyatt Regency Denver, Level 3, Centennial Ballroom H
Division: 17 - Society of Counseling Psychology
- c. 932: Saturday, August 09
6:00 PM-8:00 PM
Session Type: Social Hour
Session title: SCP Social Hour
Room: Hyatt Regency Denver, Level 3, Centennial Ballroom B
Division: 17 - Society of Counseling Psychology

109. Dr. Forrest does not know why these meetings were held outside of the Colorado Convention Center.

110. Dr. Forrest did not know how or from where to learn of the availability of an ALS at the hotel or request an ALS at the hotel.

111. In her communications with the APA regarding her request for ALS usage at the 2025 APA Annual Convention, neither Ms. Murdock nor anyone else with the APA discussed any auxiliary aids or services that might be available in the spaces the APA used at the Hyatt Regency Hotel.

112. Dr. Forrest did not observe any signage at the hotel regarding the availability of

an ALS in any of the spaces used for the 2025 APA Annual Convention.

113. At the conclusion of the 2025 APA Annual Convention, Dr. Forrest was left feeling exhausted, disappointed, dejected, unequal to her peers without hearing loss due to her inability to hear the majority of the convention in the absence of ALSs.

114. Dr. Forrest missed nearly all communication that occurred during the sessions she attended due to the lack of ALSs at the 2025 APA Annual Convention.

115. Dr. Forrest did not receive effective communication at the 2025 APA Annual Convention.

116. No Defendant or combination of Defendants ensured that Dr. Forrest received effective communication during the 2025 APA Annual Convention.

117. Following her experience at the 2025 APA Annual Convention, Dr. Forrest reached out to Ms. Murdock again, outlining the inability to hear and participate that she encountered.

118. Ms. Murdock referred Dr. Forrest to Ms. Desiree Knight, Head of Meetings and Events for the APA.

119. Dr. Forrest has discussed ALS and assistive listening devices with Ms. Knight, who referred her to Ms. Rebecca Murphy, with whom Dr. Forrest has had repeated conversations since the 2025 APA Annual Convention and who has offered information related to providing effective communication to people with hearing loss.

120. Dr. Forrest has also offered to assist the APA with ensuring the 2026 APA Annual Convention provides necessary auxiliary aids and services to people who are hard of

hearing.

121. On information and belief, the APA has designated Rebecca Murphy, its Director of Meetings and Events, as the person responsible for coordinating disability-related accommodations and services for the 2026 APA Annual Convention.

122. Dr. Forrest has also communicated with Ms. Murphy about hearing loss and effective communication with people who are hard of hearing and has offered Ms. Murphy assistance with ensuring that the 2026 APA Annual Convention provides necessary auxiliary aids and services to people who are hard of hearing.

123. Dr. Forrest has expressed to Ms. Murphy and others with the APA that ALSs are necessary for her to have effective communication and must be present for her and others with severe hearing loss to hear presentations.

124. Despite the designation of Ms. Murphy to coordinate disability-related accommodations for the 2026 Annual Convention, the APA continues to display a lack of understanding of the needs of people with severe hearing loss, such as Dr. Forrest, and of the auxiliary aids and services needed to achieve effective communication with her and others who are hard of hearing.

125. Dr. Forrest has registered for and plans to attend the 2026 APA Annual Convention.

126. Dr. Forrest has continued communicating with Ms. Murphy to provide information about her communication needs and the needs of others with hearing loss.

127. Dr. Forrest is once again scheduled to chair the APF Spielberger EMPathy

Symposium on Friday, August 7, 2026, at the 2026 APA Annual Convention.

128. After her experience at the Colorado Convention Center, Dr. Forrest filed a complaint with the Colorado Civil Rights Division (“CCRD”), number P2600032635x, against the “Colorado Convention Center” on October 7, 2025.

129. Dr. Forrest is not an attorney and attempted to bring her complaint against the City as owner and operator of the Colorado Convention Center for its failure to provide ALSs for the meeting rooms.

130. For reasons unknown to Dr. Forrest, the CCRD determined that the proper respondent to her complaint was Legends Global rather than the City.

131. Legends Global asserted in response to Dr. Forrest’s CCRD complaint, *inter alia*, that the Colorado Convention Center’s meeting rooms and convention rooms are not required to provide ALSs because they do not have “integrated” audio amplification systems and that its contract with the APA for the 2025 APA Annual Convention places the obligation to provide auxiliary aids and services, including “assisted hearing” on the APA.

132. On April 20, 2026, the CCRD issued a no probable cause determination.

133. On April 27, 2026, the no probable cause determination was mailed to the parties.

134. Dr. Forrest has ninety days after the mailing of CCRD’s determination to file a complaint in District Court. *See* Colo. Rev. Stat. § 24-34-306(2)(b)(I)(B).

135. CCDC is the state’s largest disability rights membership organization, with thousands of members throughout Colorado and across the nation.

136. CCDC’s mission is to build the power and influence of the disability community.

137. CCDC's mission includes providing support for people with disabilities in the community.

138. CCDC advocates for social justice for people with all types of disabilities and breaks down barriers that fail to promote the full participation of people with disabilities.

139. CCDC's members consist of people with a variety of disabilities and nondisabled allies.

140. Most of CCDC's staff consists of people with disabilities.

141. Most of CCDC's volunteers are people with disabilities.

142. CCDC regularly hosts events for members, donors, the public, and others.

143. CCDC hosts an annual ADA Access Awards ceremony and fundraiser that is attended by hundreds of its members and supporters, including members and supporters who require an ALS to effectively hear the presenters and award winners during the ceremony.

144. CCDC also hosts an annual State Meeting that draws a significant number of members and advocates from around Colorado to the Denver metropolitan area for a series of meetings, including a variety of presentations and breakout spaces for meetings.

145. CCDC operates a statewide, youth-led healthcare convention in Colorado designed to empower high school students to learn, lead, and shape conversations about the issues that impact their lives, known as the Teen Life Conference.

146. The Teen Life Conference brings teenagers from all around the state together in Denver for interactive workshops, meaningful dialogue with healthcare professionals, and leadership development opportunities, in order to equip them with the knowledge, resources, and

confidence to navigate the healthcare system, explore healthcare career pathways, and advocate for themselves and their communities.

147. CCDC hosts multiple other events in the Denver metropolitan area and throughout the state.

148. CCDC is interested in renting space at the Colorado Convention Center for events it hosts in the Denver metropolitan area.

149. Many CCDC members utilize public transportation to access events and get to the downtown Denver area.

150. CCDC's events are generally attended by several people with disabilities, including individuals who are hard of hearing.

151. CCDC has a policy that prohibits it from hosting events at locations that are not accessible to people with disabilities, including mobility disabilities, communication disabilities, and other types of disabilities.

152. CCDC wishes to utilize the Colorado Convention Center for events, but will not do so unless it is accessible to people with disabilities, including communication disabilities.

153. If the Colorado Convention Center was made accessible to people with disabilities, including communication disabilities, CCDC would utilize it to host events.

154. In the absence of the injunctive relief requested herein, the Colorado Convention Center will not provide ALSs in any of its sixty-three meeting rooms.

155. In the absence of the injunctive relief requested herein, the APA will continue to neglect the needs of Dr. Forrest and other of its members who are hard of hearing for effective

communication and its obligation to provide appropriate auxiliary aids and services, including ALSs in meeting rooms, so members with hearing loss are able to participate fully in their annual professional meetings.

First Claim for Relief

(Violations of Title II of the ADA, 42 U.S.C. §§ 12131–12134, by the City)

156. Plaintiffs reallege and incorporate by reference the allegations set forth in the remainder of this Complaint as if fully set forth herein.

157. Title II of the ADA provides in pertinent part: “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” 42 U.S.C. § 12132.

158. Public entities are defined as “any State or local government; [and] any department, agency, special purpose district, or other instrumentality of a State or States or local government[.]” *Id.* § 12131(1)(A)-(B).

159. Defendant City is a public entity within the meaning of the ADA.

160. The Colorado Convention Center is a service, program, or activity of the City.

161. Plaintiff Dr. Forrest is substantially impaired in the major life activity of hearing and as such is an individual with a disability, *id.* § 12102, is qualified to participate in the City’s services, programs, and activities, *id.* § 12131(2), and is a qualified individual with a disability within the meaning of Title II.

162. The United States Attorney General was statutorily charged with promulgating regulations implementing Title II of the ADA. *Id.* § 12134(a).

163. The City is required to take “appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.” 28 C.F.R. § 35.160(a)(1).

164. The City has an obligation to provide appropriate auxiliary aids and services to ensure effective communication with Dr. Forrest and other individuals with disabilities, including other CCDC members, CCDC staff, and CCDC volunteers while accessing the City’s services, programs, and activities. *Id.* § 35.160(b)(1).

165. Auxiliary aids and services include “assistive listening devices; assistive listening systems; . . . or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing” *Id.* § 35.104.

166. Moreover, in selecting the auxiliary aid or service, “a public entity shall give primary consideration to the requests of individuals with disabilities.” *Id.* § 35.160(b)(2).

167. ADA implementing regulations require that new construction be “readily accessible and usable to individuals with disability, if the construction was commenced after January 26, 1992.” 28 C.F.R. § 35.151(a)(1).

168. ADA implementing regulations have similar requirements for alterations:

Each facility or part of a facility altered by, on behalf of, or for the use of a public entity in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by individuals with disabilities, if the alteration was commenced after January 26, 1992.

Id. § 35.151(b)(1) (emphasis added).

169. The Colorado Convention Center has been altered since January 26, 1992.

170. “If physical construction or alterations commence on or after March 15, 2012, then new construction and alterations subject to this section shall comply with the 2010 Standards.” *Id.* § 35.151(c)(3).

171. The “2010 Standards means the 2010 ADA Standards for Accessible Design, which consist of the 2004 ADAAG and the requirements contained in § 35.151.” *Id.* § 35.104. *See also id.* (defining “2004 ADAAG” as “the requirements set forth in appendices B and D to 36 CFR part 1191 (2009).”).

172. An alteration of a building or facility is a “change to a building or facility that affects or could affect the usability of the building or facility or portion thereof.” 2010 Standards § 106.5.

173. Additions—defined as “[a]n expansion, extension, or increase in the gross floor area or height of a building or facility,” 2010 Standards, § 106.5—to an existing building are considered alterations that must comply with the requirements for new construction. 2010 Standards § 202.2.

174. The Colorado Convention Center was most recently altered between 2020 and 2023, opening in 2024.

175. The United States Department of Justice (“DOJ”) makes the 2010 Standards available online. *2010 ADA Standards for Accessible Design*, ada.gov, <https://www.ada.gov/law-and-regs/design-standards/2010-stds/> (last visited June 9, 2026).

176. On information and belief, the 2020–23 alteration to the Colorado Convention Center included either new construction or alteration of the sixty-three meeting rooms in which much of the 2025 APA Annual Convention was held.

177. The 2010 Standards require that “[i]n each assembly area where audible communication is integral to the use of the space, an assistive listening system shall be provided.” 2010 Standards § 219.2.

178. The 2010 Standards allow for an exception: “Other than in courtrooms, assistive listening systems shall not be required where audio amplification is not provided.” *Id.*

179. The 2010 Standards define “assembly area” as “[a] building or facility, or portion thereof, used for the purpose of entertainment, educational or civic gatherings, or similar purposes.” 2010 Standards § 106.5.

180. The 2010 Standards further clarify that “[f]or the purposes of these requirements, assembly areas include, but are not limited to, classrooms, lecture halls, courtrooms, public meeting rooms, public hearing rooms, legislative chambers, motion picture houses, auditoria, theaters, playhouses, dinner theaters, concert halls, centers for the performing arts, amphitheaters, arenas, stadiums, grandstands, or convention centers.” *Id.* Cf. 28 C.F.R. § 35.151(b)(4)(i) (identifying “the meeting rooms in a convention center” as an area containing a “major activity for which the facility is intended.”).

181. On information and belief, communication is integral to the use of the space in the Colorado Convention Center, including its sixty-three meeting rooms which feature state-of-the-art, computer-controlled audio, multiple wired microphones, with volume levels automatically optimized to ensure quality sound without feedback, operated by the Convention Center's Technical Services staff.

182. On information and belief, audio amplification is provided in the sixty-three meeting rooms at the Colorado Convention Center, which feature state-of-the-art, computer-controlled audio, multiple wired microphones, with volume levels automatically optimized to ensure quality sound without feedback, operated by the Convention Center's Technical Services staff.

183. Despite the requirements of Section 219.2 of the 2010 Standards, the City does not provide ALS in any of its sixty-three meeting rooms.

184. Because the City does not provide ALS in any of its sixty-three meeting rooms, those meeting rooms are not readily accessible to and usable by individuals who are hard of hearing, including Dr. Forrest and other CCDC members, CCDC staff, and CCDC volunteers who are hard of hearing.

185. Defendant City has discriminated against Dr. Forrest on the basis of her disability and excluded her from participation in and denied her the benefits of its services, programs, and/or activities by:

- a. denying Dr. Forrest the opportunity to participate in or benefit from an aid, benefit, or service, 28 C.F.R. § 35.130(b)(1)(i);

- b. failing to make reasonable modifications to policies, practices and procedures necessary to avoid discrimination, *see id.* § 35.130(b)(7)(i);
- c. failing to design and construct new construction and alterations of a facility such that the facility is “readily accessible to and usable” by Dr. Forrest, *see id.* § 35.151(a)(1), (b)(1), (c);
- d. failing to ensure that communications with Dr. Forrest are as effective as communications with others, *see id.* § 35.160(a)(1);
- e. failing to furnish appropriate auxiliary aids and services where necessary to afford Dr. Forrest an equal opportunity to participate in, and enjoy the benefits of, the City’s services, programs, or activities, *see id.* § 35.160(b)(1); and
- f. failing to give primary consideration to the requests of Dr. Forrest concerning the types of auxiliary aids and services necessary, *see id.* § 35.160(b)(2).

186. Defendant City has discriminated against other hard of hearing individuals, including other CCDC members and CCDC staff and volunteers.

187. Plaintiff CCDC has known relationships or associations with people with disabilities, including its members, staff, and volunteers.

188. Title II provides a remedy to “*any person* alleging discrimination on the basis of discrimination in violation of section 12132.” 42 U.S.C. § 12133 (emphasis added).

189. Defendant City, as a public entity, is prohibited from “exclud[ing] or otherwise deny[ing] equal services, programs, or activities to an . . . entity because of the known disability of an individual with whom the . . . entity is known to have a relationship or association.” 28 C.F.R. § 35.130(g).

190. Defendant City has discriminated against Plaintiff CCDC because of its association with individuals with disabilities.

191. Defendant City is responsible for the discrimination of its contractors alleged herein. *See id.* § 35.130(b)(1) (prohibiting a public entity from discriminating on the basis of disability “through contractual, licensing, or other arrangements”).

192. Dr. Forrest, CCDC, and hard of hearing CCDC members, staff and volunteers have been, and will continue to be, injured, damaged and aggrieved by Defendant City’s discrimination.

193. In the absence of compliance with Title II, including the 2010 Standards, and appropriate and enforced policies, practices and procedures, Dr. Forrest, CCDC, and other CCDC members who are hard of hearing are subject to discrimination by Defendant City on the basis of disability.

194. In the absence of compliance with the ADA, CCDC is subject to discrimination by Defendant City because of its association with people with disabilities, including its staff, volunteers, and members.

195. Dr. Forrest, CCDC, and CCDC members, staff and volunteers who are hard of hearing have been injured, damaged and aggrieved by, and, in the absence of the injunction

requested herein, will continue to be injured, damaged and aggrieved by Defendant City's discrimination.

Second Claim for Relief

(Violations of the Rehabilitation Act, 29 U.S.C. §§ 794–794a, by the City)

196. Plaintiffs reallege and incorporate by reference the allegations set forth in the remainder of this Complaint as if fully set forth herein.

197. Section 504 of the Rehabilitation Act (“Section 504”), 29 U.S.C. § 794(a), provides in pertinent part:

No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance

198. The Rehabilitation Act is interpreted consistently with the ADA. *Cohon ex rel. Bass v. New Mexico Dep’t of Health*, 788 F. Supp. 2d 1245, 1253 n.5 (D.N.M. 2009), *aff’d*, 646 F.3d 717 (10th Cir. 2011).

199. Section 504 and Title II of the ADA “essentially ‘involve the same substantive standards’” *Hamer v. City of Trinidad*, 924 F.3d 1093, 1099 (10th Cir. 2019) (quoting *Miller ex rel. S.M. v. Bd. of Educ. of Albuquerque Pub. Schools*, 565 F.3d 1232, 1245 (10th Cir. 2009))

200. Dr. Forrest is a qualified individual with a disability within the meaning of the Rehabilitation Act.

201. The Colorado Convention Center constitutes a “program or activity” of the City. *See* 29 U.S.C. § 794(b)(1)(A)-(B) (defining “program or activity” as “all operations of . . . a

department, agency, . . . or other instrumentality of a State or local government; or . . . the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government”).

202. On information and belief, Defendant City receives federal financial assistance.

203. The City subjected Dr. Forrest to discrimination solely on the basis of her disability, as described in the Complaint.

204. The City excluded Dr. Forrest from participation in, denied her the benefits of, and/or subjected her to discrimination in its programs and/or activities solely on the basis of disability in violation of Section 504 as more fully described in this Complaint.

205. Such discrimination includes but is not limited to:

- a. denying Dr. Forrest the opportunity to participate in the City’s programs and activities, 28 C.F.R. § 41.51(a);
- b. denying Dr. Forrest an equal opportunity to achieve the same benefits that others achieve in the City’s programs and activities, *see id.* § 41.51(b)(1)(i)–(iii);
- c. failing to design and construct new construction and alterations of a facility such that the facility is “readily accessible to and usable” by Dr. Forrest, *see id.* § 41.58;
- d. failing to ensure that communications were available to Dr. Forrest, *see id.* § 41.51(e);

- e. failing to make reasonable modifications to policies, practices and procedures necessary to avoid discrimination, *see Alexander v. Choate*, 469 U.S. 287, 301 (1985) (requiring recipients of federal financial assistance to make “reasonable accommodations” to “assure meaningful access” to a program or service); and/or
- f. failing to furnish appropriate auxiliary aids and services where refusal impaired and/or excluded Dr. Forrest from participation in a program or activity.

206. Defendant City is responsible for the discrimination of its contractors alleged herein. *See* 28 C.F.R. § 41.51(b)(1) (prohibiting a recipient of federal financial assistance from discriminating on the basis of disability “through contractual, licensing, or other arrangements”).

207. In the absence of compliance with Rehabilitation Act, including the 2010 Standards, and enforcement of appropriate policies, practices and procedures, Dr. Forrest, CCDC, and other CCDC members who are hard of hearing will be subjected to discrimination by Defendant City solely on the basis of disability.

208. Defendant City subjected CCDC members, staff and volunteers to discrimination solely on the basis of their disabilities, as described in this Complaint.

209. The Rehabilitation Act provides a remedy to “any person aggrieved by any act or any failure to act” by a recipient of federal financial assistance. 29 U.S.C. § 794a(a)(2).

210. In the absence of compliance with the Rehabilitation Act, CCDC is subject to discrimination by Defendant City because of its association with people with disabilities, including its staff, volunteers, and members.

211. Dr. Forrest, CCDC, and CCDC members, staff and volunteers who are hard of hearing have been injured, damaged and aggrieved by, and, in the absence of the injunction requested herein, will continue to be injured, damaged and aggrieved by Defendant City's discrimination.

Third Claim for Relief

(Violations of Title III of the ADA, 42 U.S.C. §§ 12181–12189, by Legends Global and the APA)

212. Plaintiffs reallege and incorporate by reference the allegations set forth in the remainder of this Complaint as if fully set forth herein.

213. Title III of the ADA provides that “[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.” 42 U.S.C. § 12182(a).

214. Defendant Legends Global operates the Colorado Convention Center pursuant to a contract with Defendant City.

215. The Colorado Convention Center is a “place of public accommodation.” *See* 28 C.F.R. § 36.104 (defining “place of public accommodation” as a “facility operated by a private entity” and falls into the category of a “convention center”).

216. Defendant Legends Global is a “public accommodation.” *See id.* (defining “public accommodation” as a “private entity that ... operates a place of public accommodation”).

217. On information and belief, Defendant APA signed a contract (also known as a rental agreement or license agreement) with Defendant Legends Global for event space for the 2025 APA Annual Convention.

218. Defendant APA operated portions of the Colorado Convention Center, as well as portions of the Hyatt Regency Denver hotel, during its 2025 APA Annual Convention.

219. The Hyatt Regency Denver hotel is a “place of public accommodation.” *See id.* (defining “place of public accommodation” as a “facility operated by a private entity” that includes “other place of public gathering”). *See also id.* (defining “place of public accommodation” to include “an inn, hotel, or motel”).

220. Defendant APA is a “public accommodation.” *See id.* (defining “public accommodation” as a “private entity that ... operates a place of public accommodation”).

221. Title III’s prohibition on discrimination encompasses both the denial of the opportunity to participate in or benefit from an entity’s goods, services, facilities, privileges, advantages, or accommodations and also the provision of the unequal opportunity to participate or benefit from an entity’s goods, services, facilities, privileges, advantages, or accommodations, “through contractual, licensing, or other arrangements.” *See* 42 U.S.C. § 12182(b)(1)(A)(i)-(ii).

222. Title III further specifies that discrimination includes:

a failure to take such steps as may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services

42 U.S.C. § 12182(b)(2)(A)(iii). *See also* 28 C.F.R. § 36.303(a)(1) (same).

223. As public accommodations, Defendants APA and Legends Global are required to provide “appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities.” 28 C.F.R. § 36.303(c)(1).

224. Auxiliary aids and services include “assistive listening devices; assistive listening systems; . . . or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing” *Id.* § 36.303(b).

225. Legends Global failed to ensure that Dr. Forrest was not excluded, denied services, segregated or otherwise treated differently than other individuals who are not hard of hearing because of the absence of ALSs and assistive listening devices in the meeting rooms at the Colorado Convention Center.

226. The APA failed to ensure that Dr. Forrest was not excluded, denied services, segregated or otherwise treated differently than other individuals who are not hard of hearing because of the absence of ALSs and assistive listening devices in the meeting rooms at the Colorado Convention Center used for the 2025 APA Annual Convention.

227. Legends Global has failed to ensure that CCDC members, staff and volunteers who are hard of hearing are not excluded, denied services, segregated or otherwise treated differently than other individuals who are not hard of hearing because of the absence of ALSs and assistive listening devices in the meeting rooms at the Colorado Convention Center.

228. Legends Global failed to reasonably modify its policies, practices, and procedures to avoid discrimination against Dr. Forrest and CCDC, including its members, staff and volunteers. *See* 42 U.S.C. § 12182(b)(2)(A)(ii) (defining discrimination by public accommodations to include “failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities”).

229. The APA failed to reasonably modify its policies, practices, and procedures to avoid discrimination against Dr. Forrest. *Id.*

230. Defendant Legends Global failed and continues to fail to provide individuals who are hard of hearing, including CCDC members, staff and volunteers, with the full and equal enjoyment of the Colorado Convention Center.

231. Discrimination prohibited by Title III includes conduct directed at an entity based on its association with people with disabilities. *See* 42 U.S.C. § 12182(b)(1)(E) (“It shall be discriminatory to exclude or otherwise deny equal goods, services, facilities, privileges, advantages, accommodations, or other opportunities to an individual or entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or association”).

232. Defendant Legends Global has denied CCDC equal facilities, accommodations, and opportunities because of its association with individuals with disabilities.

233. Defendant APA failed to provide individuals who are hard of hearing with the full and equal enjoyment of the 2025 APA Annual Convention.

234. On information and belief, Defendant Legends Global will continue to fail to provide individuals who are hard of hearing, including CCDC members, staff and volunteers, with the full and equal enjoyment of the Colorado Convention Center.

235. On information and belief, Defendant APA will continue to fail to provide individuals who are hard of hearing, including Dr. Forrest, with the full and equal enjoyment of its Annual Conventions.

Fourth Claim for Relief

(Violation of CADA, Colo. Rev. Stat. §§ 24-34-601, -802, by all Defendants)

236. Plaintiffs reallege and incorporate by reference the allegations set forth in the remainder of this Complaint as if fully set forth herein.

237. Under CADA, “[i]t is a discriminatory practice and unlawful for a person, directly or indirectly, to refuse, withhold from, or deny to an individual or a group, because of disability . . . the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodation” Colo. Rev. Stat. § 24-34-601(2)(a).

238. In addition, CADA provides that:

An individual with a disability, as defined in section 24-34-301, must not, by reason of the individual’s disability, be excluded from participation in or be denied the benefits of services, programs, or activities provided by a place of public accommodation, as defined in section 24-34-600.3(1); a public entity, as defined in section 24-34-301; or a state agency, as defined in section 24-37.5-102, or be subjected to discrimination by any such place of public accommodation, public entity, or state agency.

Id. § 24-34-802(1)(b).

239. “‘Person’ means one or more individuals, limited liability companies, partnerships, associations, corporations, legal representatives, trustees, receivers, or the state of Colorado and all of its political subdivisions and agencies.” *Id.* § 24-34-301(15)(a).

240. Defendants are persons under CADA. *See id.*

241. Defendant City is also a public entity under CADA. *See id.* § 24-34-301(18) (defining “Public entity” to mean “[a]ny . . . local government”).

242. In addition, a court hearing claims of violations of Sections 601 and 802(1)(b) “shall apply the same standards and defenses that are available under the federal ‘Americans with Disabilities Act of 1990’, 42 U.S.C. sec. 12101 et seq., and its related amendments and implementing regulations.” Colo. Rev. Stat. 24-34-602(4). *See also* 3 Colo. Code Regs. § 708-1:60.1(A) (“The Law [sic] concerning handicap and/or disability is substantially equivalent to Federal law, as set forth in the Americans with Disabilities Act, as amended, and the Fair Housing Act concerning disability.”).

243. Dr. Forrest is an individual with a disability. *Id.* § 24-34-301(7) (“‘Disability’ has the same meaning as set forth in the federal ‘Americans with Disabilities Act of 1990’, 42 U.S.C. sec. 12101 et seq., and its related amendments and implementing regulations.”); *id.* § 24-34-301(13); *see also* 42 U.S.C. § 12102(1)(A)-(B) (defining disability as a “physical or mental impairment that substantially limits one or more major life activities of such individual” and “being regarded as having such an impairment”), § 12102(2)(A) (including “hearing” as a major life activity).

244. Defendants have discriminated, and continue to discriminate, against Dr. Forrest and other CCDC members who are hard of hearing on the basis of disability, as set forth in this Complaint.

245. Defendants excluded Dr. Forrest from participation in and/or denied her the benefits of its programs and/or activities and/or subjected her to discrimination in violation of CADA, as more fully described in this Complaint.

246. Such discrimination includes but is not limited to:

- a. excluding Dr. Forrest from participation in Defendants' services, programs, or activities;
- b. denying Dr. Forrest the benefits of Defendants' services, programs, or activities;
- c. denying Dr. Forrest the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of Defendants;
- d. failing to ensure that communications with Dr. Forrest were effective;
- e. failing to furnish appropriate auxiliary aids and services where refusal excluded Dr. Forrest from participation in a program or activity; and/or
- f. failing to reasonably modify Defendants' policies, practices, and procedures to avoid discrimination.

247. Dr. Forrest was injured, damaged and aggrieved by Defendants' discrimination.

248. CCDC was injured, damaged and aggrieved by Defendants' discrimination.

249. Other CCDC members, staff and volunteers who are hard of hearing are injured, damaged and aggrieved by Defendants City's and Legends Global's discrimination.

250. Dr. Forrest was and continues to be injured, damaged and aggrieved by the APA's discrimination.

251. CADA states that:

A person aggrieved by the violation of section 24-34-601, 24-34-802(1)(b), or 24-34-803 may bring an action in any court of competent jurisdiction. Upon finding a violation of section 24-34-601, 24-34-802(1)(b), or 24-34-803, the plaintiff is entitled to a court order requiring compliance with the provisions of the applicable section, attorney fees and costs, and either:

(I) Recovery of actual monetary damages and, except as otherwise provided in subsection (1)(c) of this section, damages for noneconomic loss or injury, as defined in section 13-21-102.5(2)(b); or

(II) A statutory fine of five thousand dollars, payable to each plaintiff for each violation.

Colo. Rev. Stat. § 24-34-602(1)(a).

252. In the absence of the injunction sought herein, CCDC members who are hard of hearing, and CCDC itself, are likely to encounter Defendants City's and Legends Global's same discriminatory policies and practices, and physical conditions.

253. In the absence of the injunction sought herein, Dr. Forrest is likely to encounter Defendant APA's same discriminatory policies and practices.

Prayer for Relief

WHEREFORE, Plaintiffs respectfully pray:

1. That this Court assume jurisdiction;

2. That this Court issue an Order declaring Defendant City to be in violation of the Rehabilitation Act, Title II of the ADA, and CADA;

3. That this Court issue an Order declaring Defendants Legends Global and APA to be in violation of Title III of the ADA and CADA;

4. That this Court issue an injunction ordering Defendant City to ensure effective communication with hard of hearing individuals at the Colorado Convention Center in compliance with Title II of the ADA, the Rehabilitation Act, and CADA by providing appropriate auxiliary aids and services, specifically ALSs as required by Section 219 of the 2010 Standards at the Colorado Convention Center, including in its meeting rooms, and by ensuring that reasonable accommodations and modifications are provided to avoid discrimination on the basis of disability;

5. That this Court issue an injunction ordering Defendant Legends Global to provide reasonable accommodations and modifications as well as effective communication to hard of hearing individuals at the Colorado Convention Center in compliance with Title III of the ADA and CADA.

6. That this Court issue an injunction ordering Defendant APA to provide reasonable accommodations and modifications as well as effective communication to hard of hearing individuals at the 2026 APA Annual Convention and at future events;

7. That this Court award Dr. Forrest statutory penalties under CADA in the amount of \$5,000.00 against each Defendant;

8. That this Court award Plaintiffs their reasonable attorneys' fees and costs; and

9. That this Court award such additional or alternative relief as may be just, proper and equitable.

JURY DEMAND: Plaintiffs request this case be heard by a jury.

Dated: July 22, 2026

Respectfully Submitted,

/s/ Andrew C. Montoya

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