

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PITTSBURGH DIVISION

BLAIR DOUGLASS, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

ELECOM USA, INC.,

Defendant.

Case No. 2:25-cv-01788-MJH

**PLAINTIFF’S MOTION TO CERTIFY CLASS FOR SETTLEMENT
PURPOSES AND FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Plaintiff Blair Douglass, on behalf of himself and all others similarly situated, moves pursuant to Fed. R. Civ. P. 23 for an order certifying a class for settlement purposes, preliminarily approving the Agreement,¹ approving the proposed notice² and notice plan,³ and setting aside dates for the submission of objections and a fairness hearing. The parties have conferred and it is Plaintiff’s understanding that Defendant DOES NOT OPPOSE the relief this motion seeks. In further support of this motion, Plaintiff states as follows:

1. In September 2024, Plaintiff attempted to access Defendant’s online store, located at <https://elecomusa.com/> and <https://nestout.com> (“Website”). Doc. 1, ¶¶ 3, 37.

2. Plaintiff was unable to do so because the Website was not compatible with screen reader technology. Doc. 1, ¶¶ 27, 36.

¹ The proposed settlement Agreement is attached as Exhibit 1.

² The proposed long-form notice accompanies the Agreement as Agreement Exhibit 1.

³ The proposed notice plan is attached as Exhibit 2.

3. On November 18, 2025, Plaintiff filed a class action complaint, alleging that Defendant lacks—and has always lacked—policies and practices necessary to make the Website accessible to blind shoppers, in violation of Title III of the Americans with Disabilities Act, 42 U.S.C. § 12181 *et seq.* (“ADA”). Doc. 1.

4. The parties have since executed a class action settlement Agreement.

5. The Agreement is fair and reasonable, and provides substantial benefits to the class, while avoiding the delay, risk, and cost of litigation.

6. The Agreement ensures that visually disabled individuals in the United States shall have equal access to the Website and any digital properties which Defendant operates in the future.

7. Seven different judges in the Western District of Pennsylvania have approved substantially similar class action settlement agreements, including in *Douglass v. Melnor, Inc.*, No. 2:25-cv-00670, 2025 U.S. Dist. LEXIS 203770 (W.D. Pa. Oct. 16, 2025) (Hardy, J.) (“*Melnor*”); *Douglass v. Whitestone Home Furnishings, LLC d/b/a SAATVA*, No. 2:25-cv-00460, 2025 U.S. Dist. LEXIS 188296 (W.D. Pa. Sept. 15, 2025) (Cercone, J.) (“*Saatva*”); *Douglass v. iFit Inc.*, No. 2:23-cv-00917, 2024 U.S. Dist. LEXIS 243178 (W.D. Pa. Apr. 11, 2024) (Horan, J.) (“*iFit*”); *Douglass v. P.C. Richard & Son, LLC*, No. 2:22-cv-00399, 2023 U.S. Dist. LEXIS 246830 (W.D. Pa. June 27, 2023) (Kelly, J.) (“*P.C. Richard*”); *Douglass v. Optavia, LLC*, No. 2:22-cv-00594, 2023 U.S. Dist. LEXIS 246835 (W.D. Pa. Jan. 23, 2023) (Wiegand, J.) (“*Optavia*”); *Murphy v. The Hundreds Is Huge, Inc.*, No. 1:21-cv-00204, 2022 U.S. Dist. LEXIS 211942 (W.D. Pa. Nov. 17, 2022) (Lanzillo, J.) (“*The Hundreds*”); and *Murphy v. Charles Tyrwhitt, Inc.*, No. 1:20-cv-00056, 2022 U.S. Dist. LEXIS 255976 (W.D. Pa. Feb. 16, 2022) (Baxter, J.) (“*Charles Tyrwhitt*”).

WHEREFORE, Plaintiff respectfully requests that the Court:

- (A) Certify the class for settlement purposes, appoint Plaintiff as class representative, and appoint Plaintiff's counsel as class counsel;⁴
- (B) Preliminarily approve the settlement as set forth in the proposed Agreement; and
- (C) Approve the notice and notice plan included in the Proposed Order accompanying this Motion.

Respectfully submitted,

Dated: December 23, 2025

/s/ Helen Chandler Steiger

Kevin W. Tucker (He/Him) (PA 312144)
Kevin J. Abramowicz (He/Him) (PA 320659)
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Counsel for Plaintiff

⁴ Plaintiff's counsel's resumes are attached to this Motion as Exhibit 3.

CERTIFICATE OF SERVICE

I hereby certify that, on December 23, 2025, a true and correct copy of this document was served on counsel of record for Defendant through the Court's CM/ECF system.

Dated: December 23, 2025

/s/ Helen Chandler Steiger
Helen Chandler Steiger