

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL RESEARCH  
ASSOCIATION, INC., AMERICAN  
PSYCHOLOGICAL ASSOCIATION, INC., and  
NATIONAL COUNCIL ON MEASUREMENT IN  
EDUCATION, INC.,

Plaintiffs,

v.

PUBLIC.RESOURCE.ORG,

Defendant.

Case No. 1:14-CV-00857-TSC-DAR

**SUPPLEMENTAL REQUEST FOR  
JUDICIAL NOTICE IN SUPPORT OF  
DEFENDANT PUBLIC RESOURCE'S  
MOTION FOR SUMMARY  
JUDGMENT**

Action Filed: May 23, 2014

Pursuant to Federal Rule of Evidence 201(b) and the authorities cited below, Defendant Public Resource respectfully requests that the Court take judicial notice of each of the following documents in connection with its Motion for Summary Judgment:

1. A webpage of the U.S. Department of Justice entitled "Accessibility of State and Local Government Websites to People with Disabilities," at <http://www.ada.gov/websites2.htm>, a true and correct copy of which is attached to the Reply Declaration of Matthew Becker in Further Support of Defendant Public Resource's Motion for Summary Judgment ¶ 9, **Exhibit 82**.

2. The Report of the Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities, dated December 6, 2011 and published on the U.S. Department of Education website at <http://www2.ed.gov/about/bdscomm/list/aim/meeting/aim-report.pdf>, a true and correct copy of which is attached to the Reply Declaration of Matthew Becker in Further Support of Defendant Public Resource's Motion for Summary Judgment ¶ 10, **Exhibit 83**.

A district court may take judicial notice of facts that are “not subject to reasonable dispute in that [they are] either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b).

Specifically, a court may take judicial notice of matters of public record. *See Bebhick v. Washington Metro. Area Transit Comm’n*, 485 F.2d 858, 880 (D.C. Cir. 1973) (“matters of public record . . . [are] well within the range of judicial notice). This Court has “frequently taken judicial notice of information posted on official public websites of government agencies.” *Pharm. Research & Manufacturers of Am. v. United States Dep’t of Health & Human Servs.*, 43 F. Supp. 3d 28, 33 (D.D.C. 2014) (citing *Cannon v. District of Columbia*, 717 F.3d 200, 205 n. 2 (D.C. Cir. 2013)).

For these reasons, Public.Resource.Org respectfully requests that the Court take judicial notice of the matters listed above.

Dated: March 3, 2016

Respectfully submitted,

/s/ Andrew P. Bridges

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