

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
Berkeley, California 94704  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
TTY: (510) 665-8716

5 JOSHUA KONECKY (California Bar No. 182897)  
6 RACHEL BRILL (California Bar No. 233294)  
7 SCHNEIDER & WALLACE  
8 180 Montgomery Street, Suite 2000  
9 San Francisco, CA 94104  
Telephone: (415) 421-7100  
Fax: (415) 421-7105  
TTY: (415) 421-1655

10 DANIEL F. GOLDSTEIN (*pro hac vice*)  
11 BROWN, GOLDSTEIN & LEVY, LLP  
12 120 E. Baltimore St., Suite 1700  
Baltimore, MD 21202  
Telephone: (410) 962-1030  
Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

13  
14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO DIVISION**

17  
18 NATIONAL FEDERATION OF THE  
19 BLIND, the NATIONAL FEDERATION OF  
20 THE BLIND OF CALIFORNIA, on behalf of  
their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

21 Plaintiffs,

22 v.

23 TARGET CORPORATION,  
24 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**APPENDIX OF SUPPLEMENTAL  
DECLARATIONS IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

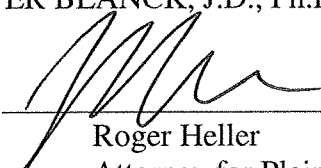
DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 Pursuant to the Court's Order dated April 25, 2007, Plaintiffs hereby submit the  
2 following Appendix of Supplemental Declarations in Support of Plaintiffs' Motion for Class  
3 Certification.

4  
5 Respectfully submitted,

6  
7 Dated: May 25, 2007

8 DISABILITY RIGHTS ADVOCATES  
9 SCHNEIDER & WALLACE  
10 BROWN, GOLDSTEIN & LEVY, LLP  
11 PETER BLANCK, J.D., Ph.D.

12 By:   
13 Roger Heller  
14 Attorney for Plaintiff

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

TABLE OF CONTENTS

- 1. Melissa Williamson
- 2. James Marks
- 3. Steve Booth
- 4. Joanne Wilson
- 5. Rosie Carranza
- 6. Jeffrey Altman
- 7. Ron Gardner
- 8. Robert Kresmer
- 9. Charlotte Czarnecki
- 10. Daniel Frye
- 11. Ron Hideshima
- 12. Jennifer Wenzel
- 13. Garrick Scott
- 14. Bruce Sexton
- 15. Terri Uttermohlen
- 16. Anil Lewis
- 17. Carlos Servan
- 18. Steve Jacobson
- 19. Bernadette Jacobs
- 20. Eric Clegg
- 21. Michelle Bruns
- 22. Shannon Dillon
- 23. Tim Elder
- 24. Sharon Maneki
- 25. Olga Peterkin
- 26. Ken Metz

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

- 1 27. Ken Volonte
- 2 28. Ann Taylor
- 3 29. Maria Morais
- 4 30. Robert Crowley
- 5 31. Denise Brown
- 6 32. Misty Brandon
- 7 33. Jeff Rios
- 8 34. Robert Stigile

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

# EXHIBIT 1

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
Berkeley, California 94704  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
TTY: (510) 665-8716

5 JOSHUA KONECKY (California Bar No. 182897)  
6 RACHEL BRILL (California Bar No. 233294)  
7 SCHNEIDER & WALLACE  
8 180 Montgomery Street, Suite 2000  
9 San Francisco, CA 94104  
Telephone: (415) 421-7100  
Fax: (415) 421-7105  
TTY: (415) 421-1655

10 DANIEL F. GOLDSTEIN (*pro hac vice*)  
11 BROWN, GOLDSTEIN & LEVY, LLP  
12 120 E. Baltimore St., Suite 1700  
13 Baltimore, MD 21202  
Telephone: (410) 962-1030  
Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18  
19 NATIONAL FEDERATION OF THE  
20 BLIND, the NATIONAL FEDERATION OF  
21 THE BLIND OF CALIFORNIA, on behalf of  
of their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

22 Plaintiffs,

23 v.

24 TARGET CORPORATION,  
25 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF MELISSA  
WILLIAMSON IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Melissa Williamson, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is Melissa Williamson.

5 3. I live in Trussville, Alabama.

6 4. I am a former teacher and currently run a non-profit organization.

7 5. I have been a member of the National Federation of the Blind since 1988.

8 6. I am legally blind and use screen-access software to access the Internet.

9 7. I rely heavily on the internet to ease my in-store shopping experiences. I routinely  
10 consult store websites for product and price information before purchasing items at the physical  
11 store. For example, I often visit the Kohl's, Wal-Mart, Bed, Bath & Beyond, and grocery store  
12 websites before shopping at their area locations.

13 8. Although I could buy many of the products directly online, I prefer to go to the  
14 physical store because I like to get my hands on the product before making a final decision about  
15 whether to purchase it. For example, I might use a store's website to select flatware that I am  
16 interested in purchasing. Although the flatware may sound attractive based on the product  
17 description, however, I would not want to buy it until I first felt how weighty and solid it is.

18 9. I also tend to shop at physical stores because I can buy routine household items at  
19 many of them in addition to the specific products I have researched. That way I can get  
20 everything in one trip and do not have to wait for items in the mail or pay shipping fees.

21 10. I have five children, ages eleven, eight, six, two and twelve weeks and run a non-  
22 profit as a volunteer. Time and money are, therefore, precious commodities for me and shopping  
23 is something I am constantly doing that drains both. When I visit a store's website ahead of  
24 time, I save both time and money, and can shop with greater efficiency.

25 11. Visiting a store's website before shopping at the physical store allows me to select  
26 exactly what I want to buy quickly, easily, and independently while at home. For example, when  
27 trying to find a gift for my children to take to birthday parties, I can easily use a store's website

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 to search for age-appropriate toys within our price range then go to the store to buy the gift. At  
2 Christmastime, I can determine which stores carry the items on my children's Christmas lists for  
3 the best price, without having to spend time looking in the stores. I also use store websites to  
4 find appliances and household items before I go to the store to buy them. That way, I can  
5 quickly and easily find the products that suit my needs, read the product description, and  
6 compare prices. When I have made my selection, I contact the local retailer to verify that what I  
7 want is in stock.

8 12. Once I have selected the products I want to purchase and confirm that the local store  
9 carries them, I sometimes cut and paste the product descriptions and item numbers from the  
10 website into a list. Occasionally, I e-mail the list to my husband to get his opinion about things  
11 like whether the bedspread I selected matches the color of the room.

12 13. I rely on a driver who assists me in running errands two to three times a week.  
13 Because I only have a limited amount of time in which to shop and I have to pay for my driver's  
14 time, consulting a store's website is crucial to maximizing my time and money. I can simply  
15 hand a list of items and store locations to the driver, then stop by each store to make the  
16 purchases.

17 14. In contrast, when I cannot access a store's website in advance, I spend an inordinate  
18 amount of extra time at the physical store and am forced to rely more heavily on sighted  
19 assistance. On those occasions, a customer service clerk or my driver must accompany me  
20 through the aisles and orally describe the selection of products I am looking for and each  
21 product's specifications. For example, if I am looking for a vacuum cleaner and have not looked  
22 up the store's website in advance, my driver or the customer service clerk would have to describe  
23 each type of vacuum that the store carries, and the vacuums' specifications, prices, etc. This  
24 process is lengthy and laborious, especially with an infant and two year old at my side. It also  
25 requires that I trust that the store clerk or driver will provide an accurate description of the  
26 products.

27 15. In addition to spending more time at the store and relying on sighted assistance, I



DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 waste time by having to shop at more stores when I have not searched the store's website in  
2 advance. Because I do not know whether a store carries the specific item I want, or may only  
3 have a general idea of what I am looking for, I end up traveling from store to store in search of  
4 what I want. As a result, I waste money by having to pay my driver for the extra transportation  
5 time and for waiting while I spend time with the store clerks. Thus, whenever possible, I prefer  
6 to independently find the information I need from the store's website and come prepared  
7 knowing what items I want to purchase.

8 16. I shop at Target at least once every two weeks. There is a Target store not far from  
9 the non-profit I run. Because it is so conveniently located, I would love to shop there more  
10 often. Also, I prefer Target's products to those at similar stores, like Wal-Mart. In general, I  
11 find that Target has better quality and selection of clothes for my kids and of housewares.

12 17. I do not buy as much from Target as I would like to because I have found Target's  
13 website to be inaccessible. Last Christmas, for example, I tried to use Target's website to find  
14 toys and a video game that were on my children's Christmas lists and to get gift ideas for my  
15 husband. When I got to Target's website, I was not able to locate any products or to access any  
16 product descriptions. I tried at length to find information about video games and to get gift  
17 ideas, but no matter what I did could not find my way through the website or get any meaningful  
18 information. I was so frustrated that I gave up and decided to move on to other stores' websites  
19 instead. I ended up finding the video game I was looking for on Wal-Mart's website and  
20 purchased the game from our local Wal-Mart store. If I had been able to find the game on  
21 Target's website, and if the price had been competitive, I would probably have purchased it from  
22 Target.

23 18. I often use store websites to find sale information and special deals before going to  
24 the physical store. Because I cannot independently know what items are marked on sale when I  
25 am shopping at the physical store, I rely on store websites as the primary means to find sale  
26 items and prices. If Target's website were accessible, I would look up sale information and  
27 special deals before going to the local Target store. I would also use online coupons at the store.

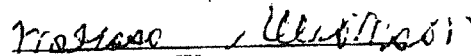
28

1 19. I would consider using Target's online prescription refill service if it were accessible.  
2 Knowing I could refill prescriptions online through Target's website and pick the prescriptions at  
3 the store is a factor I would consider in deciding which pharmacy to go to.

4 20. If Target's website were accessible, I would use it to find out about products I am  
5 interested in purchasing, their prices, and sale information, before going to the Target store to  
6 make purchases.

7  
8 I declare under penalty of perjury under the laws of the United States of America that the  
9 foregoing is true and correct.

10 Executed this 24 day of May, 2007, at Trussville, Alabama,

11  
12  
13   
14 MELISSA WILLIAMSON  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

## EXHIBIT 2

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
Berkeley, California 94704  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
TTY: (510) 665-8716

5 JOSHUA KONECKY (California Bar No. 182897)  
6 RACHEL BRILL (California Bar No. 233294)  
7 SCHNEIDER & WALLACE  
8 180 Montgomery Street, Suite 2000  
9 San Francisco, CA 94104  
Telephone: (415) 421-7100  
Fax: (415) 421-7105  
TTY: (415) 421-1655

10 DANIEL F. GOLDSTEIN (*pro hac vice*)  
11 BROWN, GOLDSTEIN & LEVY, LLP  
12 120 E. Baltimore St., Suite 1700  
13 Baltimore, MD 21202  
Telephone: (410) 962-1030  
Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18  
19 NATIONAL FEDERATION OF THE  
20 BLIND, the NATIONAL FEDERATION OF  
21 THE BLIND OF CALIFORNIA, on behalf of  
their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

22 Plaintiffs,

23 v.

24 TARGET CORPORATION,  
25 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF JAMES MARKS IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, James P. Marks, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is James Patrick Marks.

5 3. I live in Missoula, Montana.

6 4. I am an administrator for the University of Montana.

7 5. I have been a member of the National Federation of the Blind since 1991.

8 6. I am legally blind and use screen-access software to access the Internet.

9 7. I have been using the Internet in conjunction with in-store shopping since the Internet  
10 became available. At least weekly, I visit the websites of stores I frequent, such as REI, Staples,  
11 and Costco, to look for featured products, get an overall sense of the inventory, learn product  
12 information, and compare costs. In addition, because I love finding a bargain, I almost always  
13 look for sale information, coupons, and special deals.

14 8. I prefer to purchase products I want from the physical store rather than online. I am a  
15 people person and enjoy being out in public and interacting with people. I also like the instant  
16 gratification of getting the products I want immediately, rather than waiting for them to arrive by  
17 mail.

18 9. Using the Internet before going to a store significantly enhances my overall shopping  
19 experience. When I go shopping, I typically hire a driver and/or reader to accompany me.  
20 Knowing what I want to purchase in advance drastically reduces the time I spend shopping and,  
21 in turn, saves money that I would otherwise pay my driver and reader. It also lets me learn  
22 product information independently so I rely less on store clerks and aides.

23 10. I have been shopping at Target for years. I shop at Target at least twice a month.  
24 There is a Target store next to my bus stop, which is less than a mile from my house. I take the  
25 bus to and from work and walk by Target every day on my way home. In addition to its  
26 convenient location, I like shopping at Target because the store is laid out well and I can easily  
27 return and exchange products. I typically purchase clothes, electronics, yard care and household

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 products from Target.

2 11. I do not shop at Target as much as I want to because its website is inaccessible. At  
3 least six times in the past three years, I have tried to use Target.com to find product information,  
4 sale items and coupons, and to compare costs, as I do with other stores, before shopping at  
5 Target. Each time I tried to access Target's website, it was extremely difficult to navigate  
6 through the page. The information I received was jumbled and unintelligible. Images were not  
7 labeled and large chunks of information were missing. I could not find anything I was looking  
8 for and felt extremely frustrated.

9 12. Because I cannot access Target's website, I have reverted to paying an aide to  
10 accompany me through the store when I shop there. I also shop more frequently at stores that  
11 have accessible websites, such as Costco and Staples, than I otherwise would. Even though  
12 those stores are harder to get to, it is easier and faster for me to shop there because I can select  
13 the products I want from the website in advance. If Target's website were accessible, Target  
14 would be, by a landslide, the most convenient place for me to shop in Missoula.

15 13. In addition to finding product and sale information, I would be likely to use Target's  
16 online gift registry if the website were accessible. Not long ago, my fiancée's friend registered at  
17 Target for her baby shower. I did not go online with my fiancée to select a gift as I might  
18 otherwise have done because I did not want to repeat the frustration of my earlier experience on  
19 Target.com. If the registry were accessible, I would use it to select gifts prior to purchasing them  
20 at the store.

21 14. I would consider using Target's pharmacy because of the store's close proximity to  
22 me. Knowing I could access Target's pharmacy online to renew prescriptions would influence  
23 my decision of whether to switch pharmacies.

24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Executed this 24 day of May, 2007, at Missoula, Montana,

  
JAMES P. MARKS

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

# EXHIBIT 3



1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
Berkeley, California 94704  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
TTY: (510) 665-8716

5 JOSHUA KONECKY (California Bar No. 182897)  
6 RACHEL BRILL (California Bar No. 233294)  
7 SCHNEIDER & WALLACE  
180 Montgomery Street, Suite 2000  
San Francisco, CA 94104  
Telephone: (415) 421-7100  
Fax: (415) 421-7105  
9 TTY: (415) 421-1655

10 DANIEL F. GOLDSTEIN (*pro hac vice*)  
11 BROWN, GOLDSTEIN & LEVY, LLP  
12 120 E. Baltimore St., Suite 1700  
Baltimore, MD 21202  
Telephone: (410) 962-1030  
13 Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18  
19 NATIONAL FEDERATION OF THE  
20 BLIND, the NATIONAL FEDERATION OF  
21 THE BLIND OF CALIFORNIA, on behalf of  
of their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

22 Plaintiffs,

23 v.

24 TARGET CORPORATION,  
25 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF STEVE BOOTH IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Steven Booth, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is Steven Booth.

5 3. I live in Baltimore, Maryland.

6 4. I am an access technology specialist for the National Federation of the Blind.

7 5. I have been a member of the National Federation of the Blind since 1988.

8 6. I am legally blind and use screen-access software to access the Internet.

9 7. I often use the Internet before shopping at physical stores. I look up store websites to  
10 see what products the store sells and learn about them. That way, I can make informed decisions  
11 when I am shopping and cut down on my shopping time.

12 8. I do not like shopping much. When I do shop, however, I prefer to go to the physical  
13 store rather than order online so that I can feel the product and be certain that I really want to buy  
14 it. Going to the store's website in advance helps me narrow down the products I am interested in  
15 and saves the time I would otherwise spend in the store asking a store clerk or sighted  
16 companion about product descriptions and details. I find that visiting a store's website is the  
17 most efficient way for me to independently get detailed product information. Some of the store  
18 websites I visit before going to the store include Wal-Mart, Marshalls, Sears, and Sam's Club.

19 9. Sometimes I discover a product at the store, go home to learn about it from the store's  
20 website, then return to the store to purchase it. For example, recently, when shopping at Sam's  
21 Club, I found a chair that I liked. I was able to get a general idea about the chair from the store,  
22 but wanted more detailed information before deciding whether or not to buy it. When I went  
23 home, I looked up the chair on Sam's Club's website and read all about the product  
24 specifications, including the dimensions, colors, price, and care information. Satisfied that this  
25 was the chair I wanted, I returned to the store and bought it. Although I could have asked a store  
26 clerk for information, I preferred to read the information myself to get the depth of information I  
27 wanted. Plus, it was something I could do comfortably at home rather than standing around in  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 the store.

2 10. I own a home in Massachusetts and shop at the local Target store when I am there. I  
3 go to Target to purchase clothes and household items because the store is conveniently located,  
4 has a great selection of products, and is relatively inexpensive.

5 11. Last fall, I wanted to buy inexpensive lounge clothes that I could wear around the  
6 house and keep in Massachusetts. I thought Target would be the perfect place to find what I was  
7 looking for. Before I left for Massachusetts, I went to Target's website to see what casual  
8 clothes they offered, thinking I would come up with a list of items to try on at the store when I  
9 got there. When I arrived at Target's website, however, I could not read any of the links. For  
10 fifteen minutes, I waded through a mess of unlabeled links and incoherent information. I tried  
11 everything I could think of to get clothing information, but nothing worked. I got so frustrated  
12 that I almost broke my keyboard before I gave up.

13 12. When I got to Massachusetts I forced my brother to come to Target with me (he hates  
14 shopping as much as I do) so that he could describe the casual clothes for me. It took at least an  
15 hour of our time for him to describe the color, material, design, price, etc., of the various shirts,  
16 sweaters, and pants I was looking for, all information I could have learned from the website in  
17 advance. We both felt frustrated that we had wasted our time.

18 13. Despite that experience, sometime later I tried Target's website once again, this time  
19 to purchase a gift certificate. Again, the website was so confusing that I could not find what I  
20 was looking for and gave up.

21 14. Now, I avoid shopping at Target altogether because I find it to be nothing more than  
22 an exercise in frustration. Instead, I shop at stores that have accessible websites, like Sam's  
23 Club, before I go to the physical store.

24 15. If Target's website were accessible, I would use it to research product information  
25 and pre-select items I want to buy from the physical store, especially before I travel to my house  
26 in Massachusetts where there is a Target store nearby.

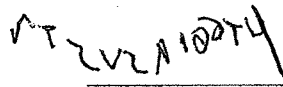
27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23<sup>rd</sup> day of May, 2007, at Baltimore, MD,



STEVEN BOOTH

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

# EXHIBIT 4

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
Berkeley, California 94704  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
TTY: (510) 665-8716

5 JOSHUA KONECKY (California Bar No. 182897)  
6 RACHEL BRILL (California Bar No. 233294)  
7 SCHNEIDER & WALLACE  
8 180 Montgomery Street, Suite 2000  
9 San Francisco, CA 94104  
Telephone: (415) 421-7100  
Fax: (415) 421-7105  
TTY: (415) 421-1655

10 DANIEL F. GOLDSTEIN (*pro hac vice*)  
11 BROWN, GOLDSTEIN & LEVY, LLP  
12 120 E. Baltimore St., Suite 1700  
13 Baltimore, MD 21202  
Telephone: (410) 962-1030  
Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18  
19 NATIONAL FEDERATION OF THE  
20 BLIND, the NATIONAL FEDERATION OF  
21 THE BLIND OF CALIFORNIA, on behalf of  
their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

22 Plaintiffs,

23 v.

24 TARGET CORPORATION,  
25 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF JOANNE WILSON  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Joanne Wilson, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is Joanne Wilson.

5 3. I live in Baltimore, Maryland.

6 4. I am the Executive Director of Affiliate Action for the National Federation of the  
7 Blind. I have a master's degree and have received two honorary doctorates. I have served as a  
8 member of the Board of Directors of the National Federation of the Blind, President of the  
9 NFB's Louisiana affiliate, and was the founder and first director of the Louisiana Center for the  
10 Blind. In 2001, President George W. Bush appointed me commissioner of the Rehabilitation  
11 Services Administration of the United States Department of Education, a position I held until  
12 2005.

13 5. I have been a member of the National Federation of the Blind since 1966.

14 6. I am legally blind and use screen-access software to access the Internet.

15 7. I routinely consult store websites to pre-select what I want to buy from the physical  
16 store. I use the Internet to find out whether the store carries products I am interested in  
17 purchasing, get product information and prices, and to comparison shop. Among the websites I  
18 visit are Wal-Mart, Best Buy, and stores my daughter likes, such as Puma and Urban Outfitters.  
19 I also visit Target's website before shopping at Target stores. Unlike other store websites,  
20 however, I cannot use Target's website without sighted assistance.

21 8. I enjoy getting out and going shopping. So, I often prefer to purchase items I want  
22 from the physical store, rather than order them online. I also prefer to physically feel the product  
23 before I buy it. In addition, purchasing items at the store can be more convenient and cost  
24 effective. For example, if I want to buy a specific item or gift that I found on Wal-Mart's  
25 website, and I also need to buy routine things that I know that store carries, like paper towels and  
26 shampoo, I will physically go to the store and pick up everything at once, rather than order the  
27 items online, pay for shipping, and wait for delivery.

28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 9. Using store websites to select items I plan to buy from the physical store is crucial to  
2 maximizing my in-store shopping time. When I go shopping, I either hire a taxi or, more often,  
3 ask a family member or friend to take me. I do not like feeling that I am burdening my friends  
4 and family or wasting their time, especially since, like me, most of them lead busy lives.  
5 Knowing what I want to buy before I go into the store cuts down my shopping time and,  
6 therefore, the time my friends and family have to wait for me.

7 10. I have a large family that includes five children and ten grandchildren. So, I am  
8 always buying gifts for birthdays and special occasions, like weddings and baby showers. I rely  
9 heavily on the Internet to simplify the gift-shopping process. This is especially true at  
10 Christmastime. To keep Christmas shopping organized in our family, each grandchild provides  
11 me with a "wish list" of specific items they want for Christmas. I spend lots of time going from  
12 website to website to find out which area stores carry the items my grandchildren have requested  
13 and how much they cost. Then, I make a list of the gifts I want to purchase from each store and  
14 physically go to the store to buy them. Using websites to virtually travel from store to store  
15 saves me the time I would otherwise spend physically traveling from store to store to find out the  
16 same information, especially during the busy holiday season.

17 11. There are two Target stores near me, in Glen Burnie and Towson, Maryland. I shop  
18 at those stores occasionally because I like the selection of products and the prices and I prefer the  
19 quality of Target's products to Wal-Mart's. I also shop at Target to buy gifts for my friends and  
20 family.

21 12. In the past two years, I have tried to access Target's website to find out whether it has  
22 gifts I want to buy for my family several times. However, I have never been able to find the  
23 information I wanted independently.

24 13. For example, in late summer or fall of last year, I tried to access Target's online gift  
25 registry because some friends of mine had registered at Target for their wedding. I had put off  
26 purchasing a gift until the last minute. Before going to a local Target store to buy their gift, I  
27 went to Target's website to pick out a gift from their registry and make sure my local store had it

28



DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 in stock. I tried to get into the registry on my own but, no matter what I tried, was not able to do  
2 so. After much frustration, I had to bother my daughter, a busy nursing student, to get into the  
3 registry and tell me what items were listed. After she told me what was listed, I made a selection  
4 and went to Target to buy the gift.

5 14. I have had the same frustration using Target’s website when Christmas shopping.  
6 Last Christmas, for example, I was trying to find area stores that sold toys on my grandchildren’s  
7 Christmas lists, including a doll house, stuffed animals and a pirate set. I thought Target might  
8 sell some of these items at reasonable prices and went to Target.com to find out before buying  
9 gifts at the physical store. The website was extremely confusing and difficult to navigate. I was  
10 unable to find any of the items I was searching for. Although reluctant to do so, I had to get my  
11 daughter to help me once again. She read the text on the screen aloud to me, and I dictated to her  
12 what I wanted her to select. With my daughter’s assistance, I found items I wanted, and  
13 purchased the gifts from the physical store.

14 15. I have tried to find gifts using Target’s website on various other occasions. Each  
15 time, I was unable to navigate the website independently. Instead, after much aggravation, I  
16 reluctantly resorted to the assistance of nearby co-workers or family members who are sighted.  
17 When alone, I have even called my sons who live far away for help. And, at times when no one  
18 was available, I have given up altogether and gone to Wal-Mart’s website and store instead.


19 16. I am an independent and determined person. Whenever possible, I like to do things  
20 on my own. I do not give up easily. I have tried to use Target’s website before shopping at  
21 Target stores again and again, each time with renewed determination. And each time, I have  
22 failed and been forced to either succumb to sighted assistance or to shop elsewhere instead.

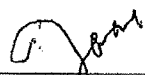
23 17. If Target’s website were accessible I would use it often to find information about  
24 products before going to the store to purchase them, especially when looking for gifts for my  
25 family and friends from the general website or the online gift registry.

26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23<sup>rd</sup> day of May, 2007, at Baltimore, MD, 



JOANNE WILSON

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

# EXHIBIT 5

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
Berkeley, California 94704  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
TTY: (510) 665-8716

5 JOSHUA KONECKY (California Bar No. 182897)  
6 RACHEL BRILL (California Bar No. 233294)  
7 SCHNEIDER & WALLACE  
8 180 Montgomery Street, Suite 2000  
San Francisco, CA 94104  
Telephone: (415) 421-7100  
Fax: (415) 421-7105  
9 TTY: (415) 421-1655

10 DANIEL F. GOLDSTEIN (*pro hac vice*)  
11 BROWN, GOLDSTEIN & LEVY, LLP  
12 120 E. Baltimore St., Suite 1700  
Baltimore, MD 21202  
Telephone: (410) 962-1030  
13 Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18  
19 NATIONAL FEDERATION OF THE  
20 BLIND, the NATIONAL FEDERATION OF  
21 THE BLIND OF CALIFORNIA, on behalf of  
their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

22 Plaintiffs,

23 v.

24 TARGET CORPORATION,  
25 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF ROSIE CARRANZA  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Rosalba Carranza, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is Rosalba Carranza.

5 3. I live in Baltimore, Maryland.

6 4. I am the coordinator of program services for the National Federation of the Blind.

7 5. I have been a member of the National Federation of the Blind since 1998.

8 6. I am legally blind and use screen-access software to access the Internet.

9 7. I often use the Internet in connection with in-store shopping. Before I go to a store, I  
10 look up items I am interested in on the store's website to research style, product, and price  
11 information. Once I have read about a product and decide to buy it, I call the store location to  
12 ensure they have what I want in stock before I make my way to the store. I often visit websites  
13 for stores like Pier 1 Imports, the Bombay Company, L.L. Bean and Safeway, before buying  
14 items from their physical stores.

15 8. I love to shop, especially to buy clothes and home décor products. Although  
16 sometimes I buy products online, if I want something from a store that is nearby, I will go to the  
17 store to buy it because I enjoy doing so.

18 9. I started using the Internet before in-store shopping about three years ago and found it  
19 to be an effective way for me to shop with increased ease, efficiency and independence. Now, I  
20 often look up products on store websites before I go to the store.

21 10. Looking up product information on the website beforehand allows me to rely less on  
22 customer service personnel. Instead, I can go into a store knowing exactly what items I want to  
23 buy. Also, I can get more detailed product information and more easily get input from friends,  
24 so that I end up selecting better products. For example, if I want to buy a set of decorative  
25 pillows for my living room, I can use store websites to learn about the size, material, color,  
26 design, and price of pillows sold at area stores. Once I narrow down the pillows I like best, I can  
27 e-mail a picture of the pillows to my friends to get their opinion about things like whether the

28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 colors will match my living room décor. Once I make my final selection, I call the store to make  
2 sure they have the pillows I want in stock, and go to the store to buy them.

3 11. There is a Target in Towson, Maryland, not far from where I live. I have been  
4 shopping there every month or so since I moved to the Baltimore area two years ago. I like  
5 shopping at Target because I like the variety of products and the prices. Plus, I think Target sells  
6 cuter stuff than other stores in its price range. In particular, I love Target's selection of tights and  
7 stockings. I also like Target's workout clothes because they are stylish and reasonable. In  
8 addition to those items, I buy day-to-day household products there.

9 12. I have tried, without success, to use Target's website before shopping at my local  
10 Target store. Early last year, a friend of mine registered at Target and another store for an event.  
11 I went to Target.com to select a gift. However, it was tremendously difficult to navigate the page  
12 and I could not make my way into the registry. The layout of the website was extremely  
13 confusing and large portions of information appeared to be missing. So, I went to the other  
14 store's website instead. I easily selected a gift from that store's online registry and a friend of  
15 mine purchased it from the local store.

16 13. Since then, I have received other invitations from family and friends who registered at  
17 Target. Rather than face the frustration of dealing with Target's online registry again, I simply  
18 buy a gift from another store at which the person has registered.

19 14. I tried to use Target's website again early this year. That time, I wanted to find  
20 information about my local Target store and got on the website to use the store locator. I was not  
21 able to find the information I needed, however, because I kept getting nonsense.

22 15. On yet another occasion, I tried to get current sale information from Target's website.  
23 Again, the website was confusing and I was not able to figure out what prices corresponded to  
24 what products. I got so frustrated that I decided not to go to Target and went shopping at another  
25 store instead.

26 16. Because Target's website has proven on multiple occasions to be impossible for me  
27 to use, I shop at Target stores less frequently than I would if the website were accessible. Even

1 though I prefer Target's products, I go to Wal-Mart instead because it is so much easier to shop  
2 when I can visit a store's website before going to the store. Or, I go to specialty stores at the  
3 mall, such as Foot Locker.

4 17. If Target's website were accessible, I would use it to find products and gifts I am  
5 interested in purchasing before going to the physical store. I would also use the website to find  
6 store and sale information and to access the gift registry before in-store shopping. Because I  
7 have not been able to use Target's website, I do not shop at Target as frequently as I would like  
8 to.

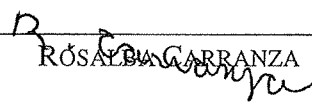
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23 day of May, 2007, at Baltimore, MD,

  
\_\_\_\_\_  
ROSALBA CARRANZA

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644



# EXHIBIT 6

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
Berkeley, California 94704  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
TTY: (510) 665-8716

5 JOSHUA KONECKY (California Bar No. 182897)  
6 RACHEL BRILL (California Bar No. 233294)  
7 SCHNEIDER & WALLACE  
8 180 Montgomery Street, Suite 2000  
9 San Francisco, CA 94104  
Telephone: (415) 421-7100  
Fax: (415) 421-7105  
TTY: (415) 421-1655

10 DANIEL F. GOLDSTEIN (*pro hac vice*)  
11 BROWN, GOLDSTEIN & LEVY, LLP  
12 120 E. Baltimore St., Suite 1700  
13 Baltimore, MD 21202  
Telephone: (410) 962-1030  
Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

14  
15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18 NATIONAL FEDERATION OF THE  
19 BLIND, the NATIONAL FEDERATION OF  
20 THE BLIND OF CALIFORNIA, on behalf of  
21 their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

22 Plaintiffs,

23 v.

24 TARGET CORPORATION,  
25 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF JEFFREY ALTMAN  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Jeffrey Altman, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is Jeffrey Altman.

5 3. I am a mobility instructor at the Nebraska Commission for the Blind and Visually  
6 Impaired and live in Lincoln, Nebraska.

7 4. I have been a member of the National Federation of the Blind since 1990.

8 5. I am legally blind and use screen-access software to access the Internet.

9 6. I find it helpful to use the Internet before shopping at physical stores. For example,  
10 woodworking is one of my hobbies and I like to go to the Sears website to see what the features  
11 and prices are for various woodworking tools before I go to the store. I recently went to the  
12 Sears site and others to research the various features and prices of vacuum cleaners in  
13 anticipation of buying one at a store.

14 7. I go to the Target store at 48<sup>th</sup> and O Streets in Lincoln, Nebraska at least twice a  
15 month, though not necessarily to shop. Target is within walking distance of my office and when  
16 I am teaching blind students how to travel with their canes, I often take them to Target. I shop  
17 there as well and have done so since 1995. When I go to shop, I take the bus from home, about a  
18 half-hour ride.

19 8. Because we have an 11 year old, Target is an ideal place to shop for clothes, and we  
20 also buy Target's household items and occasionally electronics.

21 9. Several years ago, just before Christmas, I tried to go on Target's web site to see if  
22 the store had certain toys my daughter wanted and also for the present I wanted to buy for my  
23 wife, but I could not access the site. Links were blank or I would simply hear "graphic." Things  
24 that appeared to be links were not operative. I called the store to ask if it had these toys in stock  
25 and it was an endless process: the store had to page somebody from that department who then  
26 came on the line, and who then had to go look and come back to report. I went somewhere else  
27 for my wife's present.

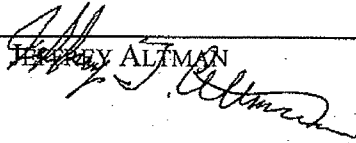
28

1 10. More recently I tried to go on the Target gift registry to buy a present for a co-worker  
2 and could not access the site. I actually got into the registry, but I couldn't find my friends or  
3 their list. I ended up asking my wife, who is sighted, for her assistance with the website and then  
4 I went to the store to buy the item. My wife, of course, has other things to do than help me shop  
5 for my co-workers and I should not have to depend on her availability to buy my own presents.

6 11. If Target's website were accessible, I would be more likely to buy more things at  
7 Target, including presents for my wife. If the selection and price were right, I might go there  
8 instead of Sears for some items.

9 12. I declare under penalty of perjury under the laws of the United States of America that  
10 the foregoing is true and correct.

11 Executed this 18th day of May, 2007, at Lincoln, NE

12  
13  
14   
15  
16

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

# EXHIBIT 7

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
5 Berkeley, California 94704  
6 Telephone: (510) 665-8644  
7 Facsimile: (510) 665-8511  
8 TTY: (510) 665-8716

9 JOSHUA KONECKY (California Bar No. 182897)  
10 RACHEL BRILL (California Bar No. 233294)  
11 SCHNEIDER & WALLACE  
12 180 Montgomery Street, Suite 2000  
13 San Francisco, CA 94104  
14 Telephone: (415) 421-7100  
15 Fax: (415) 421-7105  
16 TTY: (415) 421-1655

17 DANIEL F. GOLDSTEIN (*pro hac vice*)  
18 BROWN, GOLDSTEIN & LEVY, LLP  
19 120 E. Baltimore St., Suite 1700  
20 Baltimore, MD 21202  
21 Telephone: (410) 962-1030  
22 Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

23 **UNITED STATES DISTRICT COURT**  
24 **NORTHERN DISTRICT OF CALIFORNIA**  
25 **SAN FRANCISCO DIVISION**

26 NATIONAL FEDERATION OF THE  
27 BLIND, the NATIONAL FEDERATION OF  
28 THE BLIND OF CALIFORNIA, on behalf of  
their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

Plaintiffs,

v.

TARGET CORPORATION,  
Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF RON GARDNER IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Ron Gardner, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is Ron Gardner.

5 3. I live in Bountiful, Utah.

6 4. I am an attorney.

7 5. I have been a member of the National Federation of the Blind since 1974.

8 6. I have been blind since 1951 and use screen-reading software to access the Internet.

9 7. The Internet is important to the shopping I do in various stores. I regularly go to the  
10 websites for Best Buy, Sears, Circuit City, Comp USA and Wal-mart in anticipation of going to  
11 their stores. I made use of these sites when I was setting up my office and needed office and  
12 computer equipment, for small home appliances and to try to understand better the pluses and  
13 minuses of plasma versus LCD television.

14 8. Target has a store about four miles from my home. I get there by car—either by  
15 paying a driver or by accompanying my wife who is sighted. We have been shopping at Target  
16 for more than 25 years, starting when we lived in Colorado. One of the most appealing aspects  
17 of Target stores for me is the ease of navigating the store as a white cane user: the aisles are  
18 wider than most and the tile floors are easy to walk on. My wife and I buy groceries and  
19 household goods at Target and we both like the breadth of selection and prices.

20 9. Unfortunately, the inaccessibility of target.com has affected my use of Target stores.  
21 Last Christmas I wanted to buy my son, who does much nature photography, a 7 megapixel  
22 digital camera, but with an optical rather than a digital zoom. I was very interested in seeing the  
23 range of prices and choices within that category and I tried to go to target.com. It was a very  
24 frustrating experience; I could not succeed even in navigating to electronics. I gave up, found a  
25 camera that met my requirements at Costco and bought my son his Christmas present there.  
26 While I believe I bought him a good camera, Costco generally does not have the breadth of  
27 electronic merchandise that one finds at Target.

28

1 10. About a year ago one of my nephews was getting married and had registered with  
2 target.com. I was out of town when it came time to buy the present and my wife asked me what  
3 I wanted to get my nephew. I tried to get to Target’s online wedding registry, but could not get  
4 in. As a result, I had to ask my wife to handle selecting the present without my input and she  
5 bought the couple something at some store. I was disappointed not to be part of that decision.

6 11. I have also tried calling Target to see if my local Target store has something I am  
7 looking to buy in stock and, if so, at what price. I have found that alternative as frustrating, if not  
8 more so, than the website and as time-consuming as being driven to the store and asking those  
9 questions face to face.

10 12. If target.com were accessible, I definitely would buy more at Target, especially  
11 electronics which are items that I tend to pick out, rather than my wife. In that regard, I would be  
12 very interested in being able to use the Target coupons and “weekly specials” information from  
13 Target’s website, because coupons and specials are much of the way that price competition is  
14 expressed in electronics.

15 I declare under penalty of perjury under the laws of the United States of America that the  
16 forgoing is true and correct.

17 Executed this \_\_\_\_ day of May, 2007, at Bountiful, Utah.

18  
19  
20 \_\_\_\_\_  
21 RON GARDNER  
22  
23  
24  
25  
26  
27  
28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644



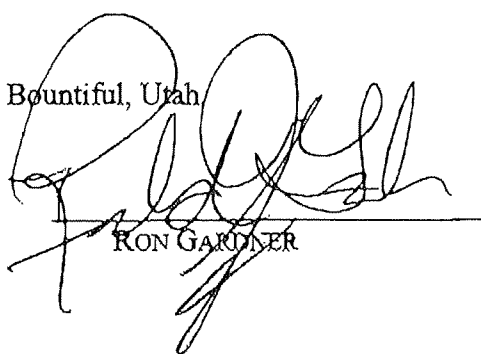
1 10. About a year ago one of my nephews was getting married and had registered with  
 2 target.com. I was out of town when it came time to buy the present and my wife asked me what  
 3 I wanted to get my nephew. I tried to get to Target's online wedding registry, but could not get  
 4 in. As a result, I had to ask my wife to handle selecting the present without my input and she  
 5 bought the couple something at some store. I was disappointed not to be part of that decision.

6 11. I have also tried calling Target to see if my local Target store has something I am  
 7 looking to buy in stock and, if so, at what price. I have found that alternative as frustrating, if not  
 8 more so, than the website and as time-consuming as being driven to the store and asking those  
 9 questions face to face.

10 12. If target.com were accessible, I definitely would buy more at Target, especially  
 11 electronics which are items that I tend to pick out, rather than my wife. In that regard, I would be  
 12 very interested in being able to use the Target coupons and "weekly specials" information from  
 13 Target's website, because coupons and specials are much of the way that price competition is  
 14 expressed in electronics.

15 I declare under penalty of perjury under the laws of the United States of America that the  
 16 foregoing is true and correct.

17 Executed this 24<sup>th</sup> day of May, 2007, at Bountiful, Utah



RON GARDNER

DISABILITY RIGHTS ADVOCATES  
 2001 CENTER STREET, THIRD FLOOR  
 BERKELEY, CALIFORNIA 94704-1204  
 510.665.8644

# EXHIBIT 8

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
5 Berkeley, California 94704  
6 Telephone: (510) 665-8644  
7 Facsimile: (510) 665-8511  
8 TTY: (510) 665-8716

9 JOSHUA KONECKY (California Bar No. 182897)  
10 RACHEL BRILL (California Bar No. 233294)  
11 SCHNEIDER & WALLACE  
12 180 Montgomery Street, Suite 2000  
13 San Francisco, CA 94104  
14 Telephone: (415) 421-7100  
15 Fax: (415) 421-7105  
16 TTY: (415) 421-1655

17 DANIEL F. GOLDSTEIN (*pro hac vice*)  
18 BROWN, GOLDSTEIN & LEVY, LLP  
19 120 E. Baltimore St., Suite 1700  
20 Baltimore, MD 21202  
21 Telephone: (410) 962-1030  
22 Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

23 **UNITED STATES DISTRICT COURT**  
24 **NORTHERN DISTRICT OF CALIFORNIA**  
25 **SAN FRANCISCO DIVISION**

26 NATIONAL FEDERATION OF THE  
27 BLIND, the NATIONAL FEDERATION OF  
28 THE BLIND OF CALIFORNIA, on behalf of  
their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

Plaintiffs,

v.

TARGET CORPORATION,  
Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF ROBERT KRESMER  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Robert Kresmer, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to  
3 testify, I could testify competently to the facts described in this declaration.

4 2. My name is Robert Kresmer.

5 3. I live in Tucson, Arizona.

6 4. I am a rehabilitation teacher and do contract work for the State of Arizona.

7 5. I have been a member of the National Federation of the Blind since 1988.

8 6. I am legally blind and use screen-access software to access the Internet.

9 7. I visit store websites in connection with in-store shopping at least twice a month.

10 Typically, I consult store websites to compare products and prices, learn more about products I

11 am interested in purchasing, and find out what products are available before I go to the store.

12 The store websites I visit before shopping at the physical store include Wal-Mart, Bed, Bath &

13 Beyond, K-Mart, and my area grocery stores.

14 8. I have found that visiting store websites before going to the store is way is a terrific

15 tool for shopping efficiently and independently. By consulting a store's website in advance, I

16 can find information I want on my own and do not have to rely upon store clerks or others to

17 read the product information on boxes and packaging or to make comparisons for me.

18 9. My job responsibilities as a rehabilitation teacher include teaching skills to the newly

19 blind that will enable them to lead independent lives. As part of their training, I teach my

20 students to visit store websites before they shop at the physical store. Learning to use the

21 internet in conjunction with in-store shopping is an important component of their independence

22 as consumers because it enables the students to gain information about products and make

23 shopping decisions without relying on sighted assistance.

24 10. I teach my students that, when possible, they should go to the physical store to make

25 purchases rather than order the item directly online. Going to the physical store allows them to

26 gain tactile information about the product so that they can make a fully-informed decision about

27 whether or not they want to buy the item.

28

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 11. In my classes, I use K-Mart's website to teach my students how to gain product  
2 information before going to the physical store. I use K-Mart as an example because of the  
3 website's accessibility and the store's commonality and breadth of household products.  
4 Although Target stores are also prevalent and sell a variety of useful products, I have specifically  
5 chosen not to use Target as a teaching tool because I have found Target's website to be  
6 extremely difficult to use.

7 12. I personally shop at Target several times a year. There are two Target stores in close  
8 proximity to where I live. I like Target's selection of house wares. I purchase cookware and  
9 notions there. Sometimes I buy kitchen supplies from Target to use with my classes. I would  
10 prefer to shop at Target more often than I currently do. I do not, however, because I have found  
11 Target's website to be inaccessible.

12 13. I have visited Target's website to get information about products before purchasing  
13 them at a local Target store. I went to Target's website specifically to learn the prices of  
14 products I wanted to purchase from the Target store. I was not able to obtain this information  
15 from Target's website because I could not move past the images on the website and the images  
16 were not tagged. I became frustrated and went to another store's website to find what I was  
17 looking for instead. Eventually, I did purchase what wanted from an area Target store.  
18 However, my wife had to assist me by reading the product information to me aloud and telling  
19 me the prices.

20 14. If Target's website were accessible, I would visit the website before going to the  
21 physical store to learn about products I am interested in, compare prices, and independently  
22 make informed decisions about what I want to buy.  
23  
24  
25  
26  
27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Executed this 24 day of May, 2007, at Tucson, Arizona,

  
ROBERT KRESMER

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

# EXHIBIT 9

1 LAURENCE W. PARADIS (California Bar No. 122336)  
2 ROGER N. HELLER (California Bar No. 215348)  
3 DISABILITY RIGHTS ADVOCATES  
4 2001 Center Street, Third Floor  
5 Berkeley, California 94704  
6 Telephone: (510) 665-8644  
7 Facsimile: (510) 665-8511  
8 TTY: (510) 665-8716

9 JOSHUA KONECKY (California Bar No. 182897)  
10 RACHEL BRILL (California Bar No. 233294)  
11 SCHNEIDER & WALLACE  
12 180 Montgomery Street, Suite 2000  
13 San Francisco, CA 94104  
14 Telephone: (415) 421-7100  
15 Fax: (415) 421-7105  
16 TTY: (415) 421-1655

17 DANIEL F. GOLDSTEIN (*pro hac vice*)  
18 BROWN, GOLDSTEIN & LEVY, LLP  
19 120 E. Baltimore St., Suite 1700  
20 Baltimore, MD 21202  
21 Telephone: (410) 962-1030  
22 Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Ave.  
Crouse-Hinds Hall, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 NATIONAL FEDERATION OF THE  
19 BLIND, the NATIONAL FEDERATION OF  
20 THE BLIND OF CALIFORNIA, on behalf of  
21 their members, and Bruce F. Sexton, on behalf  
22 of himself and all others similarly situated,

23 Plaintiffs,

24 v.

25 TARGET CORPORATION,  
26 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**SUPPLEMENTAL DECLARATION OF  
CHARLOTTE CZARNECKI IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

26  
27  
28



2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Charlotte Czarnecki, do hereby declare that:

2 1. I am over eighteen years of age and am competent to make this Declaration.

3 2. I reside in Minneapolis, Minnesota.

4 3. I have previously executed a declaration in this case, a true and correct copy of  
5 which is attached hereto as Exhibit A.

6 4. I often use the Internet to find information about products before I go to the store  
7 to purchase them. This is particularly true of products that I want to examine closely  
8 before purchasing. For example, when I buy clothes, electronics, and gifts, I like to try  
9 on and/or feel the items before I decide to buy them, rather than buy them directly online.  
10

11 5. Before going to the store, I look up products I am interested in purchasing on the  
12 store's website. There, I can learn about different brands, find prices and sale  
13 information, and formulate a list of products I want to buy at the store. That way, I am  
14 able to ask better and more focused questions about products when I am at the store.  
15 And, it saves time because I can enter the store knowing exactly what I want and what the  
16 current sales are without having to ask anyone at the store. I have visited store websites  
17 such as Walgreens, JC Penny's, and local grocery stores, to find such information before  
18 making purchases at their physical stores.  
19

20 6. I often go shopping at the Target store at the Nicolette Mall. This store is close to  
21 where I work. It is easy for me to stop there on my lunch break or on my way home.  
22

23 7. In 2005, I wanted to purchase a gift for a friend who had registered at Target. I  
24 got onto Target's website to browse my friend's list of gifts, thinking I would note what I  
25 liked then check out those products and buy the gift at my local Target store. When I got  
26 to Target's website, however, I could not pull up any information from the online  
27

28 *National Federation of the Blind, et al. v. Target Corporation, et al.*

Case No.: C 06-01802 MHP

Declaration of Charlotte Czarnecki in Support of Plaintiffs' Motion for Class Certification

2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 registry. I tried to browse through the webpage looking for products, but could not find  
2 anything readable on the page. After a while, I lost my patience and gave up.

3 8. Instead, I went to the physical Target store and asked a store clerk to print out the  
4 registry and read it to me. The list was very long with many categories. I felt  
5 uncomfortable because the store clerk seemed reluctant to read the entire list to me aloud  
6 and provide the level of detail I needed to decide what to buy. The process was also  
7 laborious and time-consuming. In the end, I made a rash decision about what to buy and  
8 purchased the gift before I left the store.  
9

10 9. Had Target's online gift registry been accessible, it would have helped me  
11 immensely by enabling me to browse through the list independently and quickly so that I  
12 could have made an informed decision, rather than a rushed one.

13 10. If Target's website were accessible, I would often use it to find gifts from the  
14 online registry and to locate sale and product information before making purchases at  
15 Target stores.  
16

17  
18 I declare under penalty of perjury that the foregoing is true and correct.  
19

20 Executed this 24 day of May, 2007, at Minneapolis, Minnesota.  
21

22   
23 \_\_\_\_\_  
24 CHARLOTTE CZARNECKI  
25  
26  
27

# EXHIBIT A

1 LAURENCE W. PARADIS (California Bar No. 122336)  
lparadis@dralegal.org  
2 ROGER HELLER (California Bar No. 215348)  
rheller@dralegal.org  
3 DISABILITY RIGHTS ADVOCATES  
2001 Center Street, Third Floor  
Berkeley, California 94704  
4 Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
5 TTY: (510) 665-8716

6 TODD M. SCHNEIDER (California Bar No. 158253)  
tschneider@schneiderwallace.com  
7 JOSHUA KONECKY (California Bar No. 182897)  
jkonecky@schneiderwallace.com  
8 SCHNEIDER & WALLACE  
180 Montgomery Street, Suite 2000  
9 San Francisco, CA 94104  
Telephone: (415) 421-7100  
10 Fax: (415) 421-7105  
TTY: (415) 421-1655

11 DANIEL F. GOLDSTEIN (*pro hac vice*)  
dfg@browngold.com  
12 BROWN, GOLDSTEIN & LEVY, LLP  
120 E. Baltimore St., Suite 1700  
13 Baltimore, MD 21202  
14 Telephone: (410) 962-1030  
Fax: (410) 385-0869

PETER BLANCK (*pro hac vice*)  
900 S. Crouse Avenue  
Crouse-Hinds, Suite 300  
Syracuse, NY 13244-2130  
Telephone: (315) 443-9703  
Fax: (315) 443-9725

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

19  
20 NATIONAL FEDERATION OF THE  
21 BLIND, the NATIONAL FEDERATION OF  
22 THE BLIND OF CALIFORNIA, on behalf of  
23 their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

24 Plaintiffs,

25 v.

26 TARGET CORPORATION,  
27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF CHARLOTTE  
CZARNECKI IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION

1 I, Charlotte Czarnecki, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4  
5 **Background**

6 2. My name is Charlotte Czarnecki, and I was born June 16, 1972.

7 3. I have been totally blind since birth due to congenital glaucoma.

8 4. I reside in Minneapolis, Minnesota.

9 5. I am a vocational rehabilitation counselor.

10 6. I have been a member of the National Federation of the Blind since 1996.

11  
12 **Computer and Internet Use**

13 7. I have used computers since 1997. Since I can use the programs and web sites I need, I  
14 would say I am a proficient computer user.

15 8. I have accessed the Internet since 1999. I use the Internet for shopping, doing research,  
16 sending e-mail, reading the news, among other tasks.

17 9. I have used JAWS screen-reading software since 1997. Screen-reading software allows  
18 me to use computers and access information on the screen and perform important functions in  
19 my life.

20 10. When web sites are properly coded, I can use them. I regularly use the web sites of CNN,  
21 the Star Tribune, Simon Delivers (a grocery shopping site), and Travelocity. A majority of web  
22 pages I have come across are more accessible than Target.com.

23  
24 **Experience with Target Retail Stores**

25 11. My friends, family, and I use Target retail stores. I like shopping at Target because I like  
26 the store's products. I believe they are high quality and affordable. I specifically like their  
27 household products, such as shampoo.

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

**Harms Experienced Because of the Inaccessibility of Target.com**

1  
2 12. I prefer to shop online for items that one does not need to examine closely, such as toilet  
3 paper, groceries, and shampoo. However, I also believe that though I am a blind person, I should  
4 be able to browse products extensively online. I want the ability to look at the different varieties  
5 of each product. When I go to the store now, I need to know exactly what I want because I am  
6 taking the time of a customer service assistant. I want to be a free and independent person and  
7 spend more time learning about products. If Target.com were easily accessible, I would  
8 definitely use it in connection with my future visits to Target's retail stores. By previewing  
9 products on Target.com, I can also purchase items at physical Target stores more efficiently.

10 13. I would like to shop at Target.com because it would be nice not to have to physically  
11 carry these products back home with me. I also want to make use of Target's wedding registry  
12 and weekly advertisements.

13 14. I attempted to use Target.com four to five times between 2003 and October 2006. On my  
14 last visit, I spent between thirty to forty five minutes. I initially visited the site in order to find  
15 about the weekly advertisements and sales.

16 15. Target.com contained links and images without labels as to what they were or what they  
17 did. The site contained many images that were described by a number. This was problematic  
18 because it was unclear where hyperlinks would lead.

19 16. Inexplicable code and garbled text prevented me from navigating the site. I only have so  
20 much time to experiment with the site and to decipher what it is trying to present.

21 17. Target.com used unlabelled or incorrectly labeled forms requiring me to input  
22 information. The word "edit" would often appear in place of the name of the form, and I would  
23 not know what to enter in the field.

24 18. Use of Target's web page made me feel frustrated.

25 19. Target.com does not treat me the same as it treats sighted individuals.

26 20. Lack of access to Target.com compromised my independence and forced me to rely on  
27 others.

1 21. It is my hope is that Target will make and keep its website fully and easily accessible for  
2 the blind so that I can shop the website just as sighted people do.

3 I declare under penalty of perjury under the laws of the United States of America that the  
4 forgoing is true and correct.

5 Executed this January day of 5, 2007, at Minneapolis, Minnesota.

6 

7  
8 CHARLOTTE CZARNECKI

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644