

EXHIBIT 18

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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
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
STEVE JACOBSON IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

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

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1 I, Steve Jacobson, 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 2. Attached hereto as **Exhibit A** is a true and correct copy of my earlier declaration in this
5 case. I am submitting this supplemental declaration to explain how I use retailers' websites, and
6 would like to use Target.com if it were accessible, to enhance my in-store shopping experiences.

7 3. I am 56 years old.

8 4. I have been blind since birth.

9 5. I reside in Edina, Minnesota.

10 6. I have been a member of the National Federation of the Blind since 1972.

11 7. As a resident of the Twin Cities area of Minnesota, my family frequently shops at Target
12 stores. I have shopped at multiple Target stores throughout the Twin Cities area for close to 20
13 years. I typically visit a Target store at least once per month, and my family shops at Target
14 stores on a weekly basis.

15 8. I have come to depend on Target for quality products and low prices, and generally prefer
16 to shop at Target stores over other discount retail stores.

17 9. I regularly shop at Target stores and other physical retail stores. Though shopping at a
18 physical store can be a hassle for anyone, one of the ways that I know to make the experience
19 better and faster is to gather information on a store's website, if I can access it, before going into
20 the store. By researching the products that are available at a store online, I can go into the store
21 with a starting point and need to ask far fewer questions. I can even go to the store with a list of
22 the products that I know the store carries and that I want. More often than not, if I can access
23 the information that I need from a store's website, I can just go into the store, quickly get what
24 I'm looking for, and leave.

25 10. Using a store's website before going into the store also allows me to shop more self-
26 sufficiently. If I know what I want when I walk into the store, I don't have to rely very much on
27 anyone at the store to help me shop.

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

Case No.: C 06-01802 MHP

Supplemental Declaration of Steve Jacobson in Support of Plaintiffs' Motion for Class Certification

1 11. For example, I have visited the websites of Best Buy, Radio Shack and other stores that
2 sell electronics to check out the details and prices of products that they sell at their stores and to
3 comparison shop. Based on that research, I have at times gone into the stores and made a
4 purchase.

5 12. With the help of a reader that my family hires on occasion, I have in fact used Target.com
6 to see what products are available at Target stores before actually going to the store. That has
7 made shopping at Target stores easier and quicker for my family.

8 13. I have tried to use Target.com independently with a screen reader many times and have
9 been very frustrated with the inaccessibility of the website. Some of my attempts to use
10 Target.com and the barriers that I encountered on the website are described in my earlier
11 declaration in this case.

12 14. I have tried to use Target.com independently with a screen reader to see what products
13 are available at Target's stores and to get information about those products in the same way that I
14 use other retailers' websites. While I have been able to access some information about products
15 that are available at the stores, I have had difficulty effectively using Target.com to gather
16 information before going to the stores, both because there has been information on Target.com
17 that I have been unable to access at all and because I have had no idea about whether the
18 information I could access was complete. As a result, I have not been able to utilize Target.com
19 nearly as effectively as I can other retailers' websites to make in-store shopping easier and more
20 effective.

21 15. If Target.com were accessible, and I could reliably and independently access information
22 there about the products that are available at Target stores, I would use the website to be better
23 prepared and more efficient when I go to Target stores. Considering how often I shop at Target
24 stores, that would really help a lot.

25 16. I understand that sighted customers can download coupons on Target.com for savings at
26 Target stores. If those coupons were accessible to me on Target.com, I would be interested in
27 downloading them and using them when I shop at Target stores.

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

Executed this 17 day of May, 2007, at Edina, Minnesota.



STEVE JACOBSON

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EXHIBIT A

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

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

23 Plaintiffs,

24 v.

25 TARGET CORPORATION,

26 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

**DECLARATION OF STEVE JACOBSON
 IN SUPPORT OF PLAINTIFFS' MOTION
 FOR PRELIMINARY INJUNCTION**

Hearing Date: June 12, 2006

Time: 2:00 p.m.

Judge: The Honorable Marilyn Hall
 Patel

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1 I, Steve Jacobson, 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 **Background**

- 5 2. I am 55 years old.
- 6 3. I have been blind since birth.
- 7 4. I reside in Edina, Minnesota.
- 8 5. I have been a member of the National Federation of the Blind since 1972.

9 **Internet Use**

10 6. For thirty years, I have been employed in the computer field as a programmer and a
11 Systems Analyst on IBM mainframe computers and I have some experience with Teradata
12 hardware and databases as well.

13 7. Since the personal computer came into common use over twenty years ago, I have been
14 using one in conjunction with screen reading software used by blind people to access computers,
15 both on the job and at home.

16 8. I have been actively browsing the internet with screen access software for more than ten
17 years.

18 9. I use the internet for a variety of functions and activities in my life, including: performing
19 job functions, purchasing groceries, purchasing music and compact discs, and gathering
20 information.

21 10. I consider myself a fairly sophisticated user of computers and the internet.

22 11. I often shop online rather than go to a physical store because I find it significantly easier
23 to do so. Particularly for items like groceries, shopping online allows me to read product
24 information like labels that I would not be able to read in a store without assistance.

25 12. Using my screen reader to access the internet has significantly improved my own view of
26 my independence to conduct personal business without the help of others.

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

Case No.: C 06-01802 MHP

Declaration of Steve Jacobson in support of Plaintiffs' Motion for Preliminary Injunction

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2001 Center Street, Third Floor
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(510) 665-8644

Experience with Target Retail Stores

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2 13. As a resident of the Twin cities area of Minnesota, my family frequently shops at Target
3 stores. I have come to count on Target for quality products and low prices. In addition, the
4 Target Corporation is regarded as a good corporate citizen of our state. As a regular Target
5 shopper who is also blind, I have also been very interested in using the Target web site because
6 of the ability to more easily browse and compare products and the convenience of having them
7 delivered. My family has purchased some merchandise through the Target web site with the help
8 of a sighted person.

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

10 14. I would like to shop at Target.com because traveling to the physical retail location
11 necessitates a significant expense of time, energy, and money. It also means that I must depend
12 on others to provide direction and product information. Unlike my experience in the store, I can
13 access price, color, and other product information autonomously from accessible websites.

14 15. I have attempted unsuccessfully on numerous occasions to access Target.com with my
15 screen reader.

16 16. Upon accessing Target.com on several occasions, I have become frustrated with
17 inexplicable code and garbled text that has prevented me from continuing to navigate through the
18 site.

19 17. In my experience, the Target web site contains a number of links and images that do not
20 have labels that could clearly identify what they do, making access to the site nearly impossible.

21 18. My screen reader often shows a frame with an indication that the server is not found,
22 even though the remainder of the page loads correctly. This information does not appear on the
23 computer screen, as reported by sighted members of my household. I have never seen this
24 behavior before as an experienced computer user.

25 19. There is yet another problem that is of the highest significance. On February 8, 2006,
26 after searching for products and adding them to my cart, I proceeded to checkout using the
27 "Proceed to Checkout" link. Once the next window appeared, though, I seem not to be able to
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1 progress further. The proceed to Checkout link remains on the screen, and it seemed logical that
2 accessing that link again would result in going on to the next step, but nothing happened. Again,
3 with the help of my daughter who has some vision, I discovered there is another button which is
4 labeled "Continue to checkout" that must be "clicked" to move on. My screen reader provides a
5 number of tools that lets me explore a web page. This second button did not appear in any form
6 when I looked for it with my screen reader. A screen reader can even read the text that is near
7 the mouse pointer, but even when my daughter placed the mouse pointer on the button, the
8 screen reader would not read the associated text or even identify that an unlabeled button was
9 present. I found no way of clicking on this button without having someone with vision
10 positioning the mouse pointer on it.

11 20. I have been told that there are many useful store-related features on the Target.com
12 website, including weekly advertisements, an online pharmacy, and photo printing, which I
13 would like to use.

14 21. I have found the entire process of attempting to access Target.com to be extremely
15 frustrating and aggravating.

16 22. If Target.com were an accessible website I would frequently visit the website and make
17 purchases at the website. I prefer Target to many other discount stores because of the quality of
18 the products they carry.

19 23. My inability to use Target.com either causes me to lose the option of shopping at Target,
20 or forces me to rely on others.

21

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

24

Executed this April day of 25, 2006, at Edina, Minnesota.

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STEVE JACOBSON

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National Federation of the Blind, et al. v. Target Corporation, et al.
Case No.: C 06-01802 MHP
Declaration of Steve Jacobson in support of Plaintiffs' Motion for Preliminary Injunction

EXHIBIT 19

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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 BERNADETTE
JACOBS IN SUPPORT OF PLAINTIFFS'
MOTION FOR CLASS CERTIFICATION**

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

1 I, Bernadette Jacobs, 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 Bernadette Jacobs.

5 3. I live in Gwynn Oaks, Maryland.

6 4. I am a former receptionist.

7 5. I have been a member of the National Federation of the Blind since 1976.

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

9 7. I use the Internet to shop all the time and, from time to time, look up product
10 information and availability online before going to the store. I have visited websites for my
11 favorite clothing store, Catherine's, and Circuit City, before shopping at those stores. Going to
12 the website beforehand gives me a clear sense of what products the stores have that I might want
13 to buy and what the current prices are.

14 8. I shop at Target about once a month. There is a Target in Columbia, Maryland that is
15 across the street from my church. Sometimes, after church, I go to Target to buy clothes for my
16 son or to purchase gifts.

17 9. This past March, I tried to access Target's gift registry but eventually gave up out of
18 frustration. On that occasion, some friends who were adopting a child from India had registered
19 at Target for children's clothes and items. I planned to select a gift from Target's online registry
20 and pick up the item from the store after church. (My friends were leaving for India in two days
21 and there was no time to order online.) When I got to Target's website, I was not able to access
22 the registry. So, instead, I tried to search for infant and toddler sleepers on Target.com at large,
23 knowing that was an item my friends had requested. I made my way to what I thought was the
24 correct web page. I wanted to do a search by age group because my friends needed clothes for a
25 12 month old and my husband, who is sighted, told me you can search for clothing by age on
26 Target's website. No matter what I did, however, I could not figure out how to search by age
27 group and I could not access any product information. As I arrowed up and down the page,

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1 nothing was readable. After a long time of getting nowhere, I became so exasperated that I
2 decided not to get a gift at all. I ended up giving a gift card that my husband had picked up from
3 Safeway. Since that experience, I have not returned to Target.com.

4 10. If Target.com's gift registry were accessible, I would use it frequently. Because I am
5 a member of a large church, I often receive invitations for weddings and baby showers from
6 fellow church members, many of whom register for gifts at Target. It would be a great
7 convenience for me to be able to select gifts from Target's online registry then purchase the gift
8 from the store after church.

9 11. 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 23rd day of May, 2007, at Baltimore, MD 

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15 BERNADETTE JACOBS
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DISABILITY RIGHTS ADVOCATES
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EXHIBIT 20

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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

**SUPPLEMENTAL DECLARATION OF
ERIC CLEGG IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

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

1 I, Eric Clegg, 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 2. Attached hereto as **Exhibit A** is a true and correct copy of my earlier declaration in this
5 case. I am submitting this supplemental declaration to expand upon how I use retailers'
6 websites, and would like to use Target.com, to enhance my in-store shopping experiences.

7 3. My name is Eric Clegg. I was born May 20, 1947.

8 4. I was born visually impaired. I have been totally blind for twenty years.

9 5. My primary residence is in Sacramento, California.

10 6. I work for the Department of Rehabilitation as a Braille production specialist.

11 7. I have been a member of the National Federation of the Blind since 1973.

12 8. I shop at Target for household necessities and general merchandise. I like Target
13 products. The Target store that I visit most frequently is in Sacramento. In the past year, I have
14 been to Target stores approximately two times. I would go to Target stores more often, however,
15 if I were able to use Target.com to look up information about the products that are available at
16 the store.

17 9. I often use retailers' websites to preview information about the goods that are available in
18 their stores. That way, I can decide if it makes sense for me to go to the store and, if so, I have a
19 better idea of what I want when I get to the store. I can also compare prices at several stores
20 online and figure out which store to go. This process is particularly useful for big ticket items
21 because I want to research the choices thoroughly, and will usually purchase those items in a
22 physical store so that I can make sure that I can access and operate the relevant features.

23 10. Recently, I wanted to buy speakers for my stereo system. I went to Magnolia's website
24 to look at what speakers were offered in their stores. I researched details about the speakers
25 offered in their stores and the prices of the speakers offered in their stores. After that, I went
26 down to the local Magnolia store and bought speakers based on my research. Buying the
27 speakers online was not really an option, because I wanted the speakers right away. Using the

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1 Magnolia website in this way allowed me to shop more efficiently and effectively. I have used
2 other retailers' websites in similar ways, and have found it to be a very useful approach to
3 shopping.

4 11. I have tried to use Target.com on multiple occasions, but have experienced great
5 difficulties trying to access product information and other information and features on the
6 website. My difficulties accessing Target.com are described in my earlier declaration.

7 12. If Target.com were accessible, I would like to use Target.com, like I use other retailers'
8 websites, to preview the goods that are available in Target stores. If I could use Target.com in
9 that way, I would have an easier time shopping at Target stores and would likely visit Target
10 stores more often because I could shop there more efficiently and with a greater amount of
11 independence. I may also be able to avoid unnecessary trips to Target stores, since my research
12 on Target.com could let me know if Target doesn't carry a product that I am looking for instead
13 of me having to go all the way to the store to find that out.

14
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 22 day of May, 2007, at Sacramento, CA 

18
19
20 _____
ERIC CLEGG

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20 NATIONAL FEDERATION OF THE
21 BLIND, the NATIONAL FEDERATION OF
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24 Plaintiffs,

25 v.

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27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF ERIC CLEGG IN
SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION

DISABILITY RIGHTS ADVOCATES
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510.665.8644

1 I, Eric Clegg, 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 Eric Clegg. I was born May 20, 1947.

7 3. I was born visually impaired. I have been totally blind for twenty years.

8 4. My primary residence is in Sacramento, California.

9 5. I work for the Department of Rehabilitation as a Braille production specialist.

10 6. I have been a member of the National Federation of the Blind since 1973.

11
12 **Computer and Internet Use**

13 7. I am a proficient user of computers. I can use most programs and access most web sites. I
14 have used computers since 1979.

15 8. I have accessed the Internet since 1995. I use the Internet to e-mail, shop, and research
16 information.

17 9. I have used both JAWS and Window Eyes screen-reading software since 1995. Screen-
18 reading software has been a quantum leap for my independence. I would have much more
19 trouble banking, shopping, and doing other essential tasks without such programs.

20 10. Generally, proper coding of web pages allows me to access content on these sites. I can
21 readily access the web pages of companies such as Google, Tower Records, Wells Fargo,
22 Safeway, Trader Joe's, Albertsons, and Food To You. Target.com is one of the least accessible
23 web pages I have used. The vast majority of web pages I have come across have been more
24 accessible than Target.com.

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Experience with Target Retail Stores

11. I shop at Target for household necessities and general merchandise. I like Target products.

Harms Experienced Because of the Inaccessibility of Target.com

12. I want to shop at Target.com because I think the site might have good sales and coupons.

13. I would prefer to shop at Target.com rather than a physical Target store. It takes me about 30-40 minutes to commute to a physical store. Secondly, I would like to use online stores to preview available items before I go into physical stores. I also use them to search for bargains.

14. I have accessed Target.com two or three times within the last three months. During these visits, I searched for items and attempted to check out. My attempts were unsuccessful. During my visit in September 2006, I spent twenty minutes on the web site.

15. Inexplicable code and garbled text prevented me from navigating the site. Target.com contained links and images without labels indicating what they were or what they did. My screen-reading software would say "image image" or "graphic graphic," but it could not find a description of the item.

16. Target.com had unlabelled forms that required me to input information.

17. Target.com did not have headings so I could skim the contents of the web page.

18. I could not find the "Continue to Checkout" button with either screen-reader or keyboard commands. I had no indication that it was on the page since JAWS could not locate this button with its button-finding command.

19. Target did not treat me the same as it treats sighted people because I could not complete a transaction.

20. The lack of access on Target.com compromised my independence and forced me to rely on others for some of my shopping needs.

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

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

Executed this December day of 7, 2006, at Sacramento, CA.


ERIC CLEGG

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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

**SUPPLEMENTAL DECLARATION OF
MICHELLE BRUNS IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

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27
28

1 I, Michelle Bruns, 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 2. Attached hereto as **Exhibit A** is a true and correct copy of my earlier declaration in this
5 case. I am submitting this supplemental declaration to expand upon how I use retailers'
6 websites, and would like to use Target.com, to enhance my in-store shopping experiences.

7 3. My name is Michelle Bruns, and I am 30 years old.

8 4. I have been legally blind since 1994.

9 5. I am the Assistant Director of Programs for the Society for the Blind, a non-profit
10 organization in Sacramento, California.

11 6. My primary residence is in Sacramento, California.

12 7. Target is the closest retail store to my home. Like my friends and family, I prefer to shop
13 at Target. Target products are high quality and affordable, and they meet my basic needs nicely.

14 8. I frequently visit Target stores in the Sacramento area, including stores in the Natomas
15 and West Sacramento areas. I tend to visit Target stores at least once a month.

16 9. I often use retailers' websites, when they are accessible, to check out the products that are
17 available at their stores. For example, I have used the websites of Walmart, Gap, Old Navy and
18 Circuit City to see what products are available at their stores and to check the prices of products
19 at their stores. Based on the information I get from the websites, I sometimes will go in and
20 make a purchase at the stores.

21 10. I find that retailers' websites, when accessible, can be very helpful to me even when I am
22 ultimately shopping at a physical store instead of online. It is much easier for me to go to the
23 website, see what is available and at what price, and then go to the store knowing exactly what I
24 want. This is especially so because I am legally blind and, if I go to the store alone, have to rely
25 on customer service workers to help me shop. If I know exactly what I want when I walk into
26 the store, I can simply ask a worker to show me that item, instead of spending lots of time trying
27 to work with the worker to help me figure out what I need. Using retailers' websites to figure
28

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1 out what I want before I go to the store saves me a lot of time when I shop at the stores.

2 11. Checking retailers' websites, I can also figure out whether it's worth my time to go the
3 store at all. I sometimes go to a retailer's website looking for information about a particular
4 product and, if it appears that they don't have that product at the store or I don't like the price
5 they are charging for the product at the store, I decide not to go to the store at all. Using
6 retailers' websites in that way has saved me a lot of time and effort.

7 12. I have tried to use Target.com many times. The extensive barriers that I experienced
8 trying to access Target.com made it difficult for me to get information from the website, and are
9 described in detail in my previous declaration in this case.

10 13. If Target.com were accessible, I would want to use Target.com to check out the products
11 that are available at Target stores in the same way that I use websites for stores like Walmart and
12 the Gap. Given how much I shop at Target stores, that would make my life easier.

13 14. As I described in my earlier declaration, some of my friends have set up baby and gift
14 registries at Target. Because of access barriers on Target.com, I have not been able to make
15 purchases from those registries online or even view online what products my friends have
16 registered for. While I would like the option to do both, if I could do the latter, that would at
17 least make things easier for me when I go to Target stores to make registry purchases.

18 15. I have used the photo development services at Target stores. I understand that sighted
19 visitors can upload images and order prints and photo discs on Target.com, and then pick up their
20 prints and discs at the store, saving them time. If Target.com were accessible, I would want the
21 option to use Target.com for those purposes. That would save me time.

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

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Executed this 18 day of May, 2007, at Sacramento, California.

Michelle Bruns

MICHELLE BRUNS

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EXHIBIT A

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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

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

26 Plaintiffs,

27 v.

28 TARGET CORPORATION,
Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF MICHELLE BRUNS
IN SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION

1 I, Michelle Bruns, 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 Michelle Bruns, and I am 29 years old.

7 3. I have been legally blind since 1994.

8 4. I am the Assistant Director of Programs for the Society for the Blind, a non-profit
9 organization in Sacramento, California. Apart from my work with the Society, I have a private
10 practice in psychotherapy.

11 5. My primary residence is in Sacramento, California.

12
13 **Computer and Internet Use**

14 6. I have used computers for roughly twenty years, and I believe that I am a proficient user.

15 7. Since 1995, I have used the Internet to keep in touch with friends, conduct research, shop,
16 take care of my banking needs, read the news, among other activities.

17 8. I have used JAWS screen-reading software for ten years. Screen-reading software is the
18 key to my independence, both in terms of my personal and professional capacities. I depend on it
19 to carry out essential tasks in my life.

20 9. When web pages are properly coded, I can access them. I regularly use the web pages of
21 Google, MSN, CNN, The Gap, and Old Navy. When comparing Target's web page to others, I
22 believe that Target.com was one of the worst.

23
24 **Experience with Target Retail Stores**

25 10. Target is the closest retail store to my home. Like my friends and family, I prefer to shop
26 at Target. Target products are high quality and affordable, and they meet my basic needs nicely.

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1 11. I must use a local bus to reach the nearby Target store. Otherwise, I must ask my friends
2 or family to drive me to the store.

3
4 **Harms Experienced Because of the Inaccessibility of Target.com**

5 12. Since I am blind, I like to enjoy the benefits that accompany online shopping. I prefer to
6 use the web page of a store to get a sense of available products before I visit the store's physical
7 location.

8 13. As such, I would like to use Target.com because I want to get a better sense of what
9 products are available before I spend the time to go to the physical store. Moreover, when I use
10 search engines to comparison shop products by price, I believe Target.com often provides the
11 best price.

12 14. I have attempted to use the Target web page about ten times. At first, I spent roughly
13 ninety minutes trying to decipher the site. The last time I visited the site was in approximately
14 June 2006. Though I am a competent Internet user, I found using the site to be frustrating.

15 15. I found that Target.com home page lacked labels so that I could not decipher what objects
16 were on the page.

17 16. After attempting to delve deeper into the page, I found that that web sites had long lists of
18 categories without any usable links. Since the lists were not hyperlinked, I found that I could not
19 navigate the page any further. For instance, I was able to notice the categories of products, such
20 as those for Men, Women, or Gifts. However, once I get past those categories, I was unable to
21 navigate the page. I was unable to access product information or proceed to checkout.

22 17. My friends have used Target.com to coordinate their baby showers and gift registries. I
23 was disappointed to discover that I could not purchase gifts for these events due to the
24 inaccessibility of Target.com.

25 18. I believe that Target.com treated me differently than it treated sighted people because I
26 was unable to take advantage of its features.

27 19. My experiences with Target.com made me feel frustrated and annoyed.

EXHIBIT 22

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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

**SUPPLEMENTAL DECLARATION OF
SHANNON DILLON IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

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1 I, Shannon Dillon, 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 2. Attached hereto as **Exhibit A** is a true and correct copy of my earlier declaration in this
5 case. I am submitting this supplemental declaration to explain in more detail how I utilize the
6 websites of retailers to make shopping in their stores more efficient and effective, and how I
7 would like to use Target.com to make shopping at Target stores more efficient and effective.

8 3. I am 34 years old, and I am totally blind due to retinoblastoma.

9 4. I am an attorney with the California Department of Corrections and Rehabilitation.

10 5. My primary residence is in Albany, California.

11 6. I have been a member of the National Federation of the Blind since 1990.

12 7. I have been shopping at Target's stores for over 20 years, and have shopped at several
13 stores in the Sacramento area and Bay Area. Most of my recent visits have been to the Target
14 store in El Cerrito, California. I am a regular Target shopper. I estimate that I've been to a
15 Target store between 10 and 20 times during the past year.

16 8. I like to shop at Target because I believe their products are affordable and of good
17 quality.

18 9. I do a considerable amount of my shopping at physical retail stores. As with everyone,
19 shopping can be a challenge and a hassle for me. To make my life easier, I have learned to use
20 stores' websites to make the process of shopping more efficient. Specifically, before going to a
21 store to shop, I will often visit the store's website to research information about the products that
22 they sell in the store. I look at the website to see what products are sold in the store, review
23 product descriptions, and get product details and specifications. I do this very often and find that
24 it can be a tremendous help. Among other things, it makes it much easier for me when I get to
25 the store and saves me a lot of time that I would otherwise have to spend in the store. Since I
26 have done all of the research online, I can ask for the specific products I want when I walk in the
27 store, instead of having to walk around the aisles endlessly with a customer service

28

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

Case No.: C 06-01802 MHP

Supplemental Declaration of Shannon Dillon in Support of Plaintiffs' Motion for Class Certification

1 representative and asking them to read me the information on the packages, which often won't be
2 as detailed and helpful as the product descriptions online anyway. It also allows me to avoid
3 having to struggle to communicate extensively with a customer service representative, who are
4 often difficult to communicate with and are sometimes hard to find in the store. Also,
5 researching online the products that a store carries can sometimes save me a trip to the store—if I
6 find that a store doesn't have what I'm looking for, then I won't waste my time going there.

7 10. I regularly use stores' websites, when they are accessible, for these purposes. Among
8 others, I have recently used the websites of Nordstrom, Macy's and Old Navy to research
9 information about the products that are sold in those stores before going into those stores to shop.

10 11. I have visited Target.com on multiple occasions, but have found it extremely difficult to
11 navigate and access information from the website because of various accessibility barriers on the
12 website. My difficult experiences trying to access Target.com are described in my earlier
13 declaration in this case.

14 12. Given how often I shop at Target, I would want to use Target.com to make shopping at
15 Target stores easier and more efficient for me. If Target.com were accessible, I would use the
16 website to research information about products that are sold at Target stores so that I can get the
17 same benefits that I get from using other stores' websites. This would save me considerable
18 time, allow me to be a more self-sufficient shopper, and generally make my life easier.

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

Executed this ____ day of May, 2007, at Albany, California.

SHANNON DILLON

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1 representative and asking them to read me the information on the packages, which often won't be
2 as detailed and helpful as the product descriptions online anyway. It also allows me to avoid
3 having to struggle to communicate extensively with a customer service representative, who are
4 often difficult to communicate with and are sometimes hard to find in the store. Also,
5 researching online the products that a store carries can sometimes save me a trip to the store—if I
6 find that a store doesn't have what I'm looking for, then I won't waste my time going there.

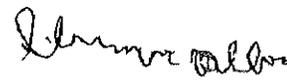
7 10. I regularly use stores' websites, when they are accessible, for these purposes. Among
8 others, I have recently used the websites of Nordstrom, Macy's and Old Navy to research
9 information about the products that are sold in those stores before going into those stores to shop.

10 11. I have visited Target.com on multiple occasions, but have found it extremely difficult to
11 navigate and access information from the website because of various accessibility barriers on the
12 website. My difficult experiences trying to access Target.com are described in my earlier
13 declaration in this case.

14 12. Given how often I shop at Target, I would want to use Target.com to make shopping at
15 Target stores easier and more efficient for me. If Target.com were accessible, I would use the
16 website to research information about products that are sold at Target stores so that I can get the
17 same benefits that I get from using other stores' websites. This would save me considerable
18 time, allow me to be a more self-sufficient shopper, and generally make my life easier.

19
20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct.

22
23 Executed this 23 day of May, 2007, at Albany, California.

24 

25 _____
SHANNON DILLON

EXHIBIT A

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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 SHANNON DILLON
IN SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION

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1 I, Shannon Dillon, 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 Shannon Dillon. I am 33 years old, and I am totally blind due to
7 retinoblastoma.

8 3. I am an attorney with the California Department of Corrections and Rehabilitation.

9 4. My primary residence is in Albany, California.

10 5. I have been a member of the National Federation of the Blind since 1990.

11
12 **Computer and Internet Use**

13 6. I started using computers in 1988 when I was in high school. I am a proficient computer
14 user with extensive Internet experience. Previously, I taught Internet accessibility to other blind
15 individuals. I did this as an independent contractor and as an employee for several different bay
16 area companies and organizations, including the Society for the Blind in Sacramento.

17 7. I have accessed the Internet for at least ten years. Since Internet use is essential in law
18 school, I have used the Internet frequently since 1997, the year I started law school. I use the
19 Internet for legal research, job hunting, grocery shopping, and reading news, among other things.

20 8. I have used JAWS screen-reading software for at least ten years. Screen-reading software
21 makes me independent since it allows me to do my job, shop for groceries and Christmas gifts,
22 and even write birthday cards, among other essential tasks. Before I used screen-reading
23 software, I needed another person to read the computer screen for me as well as input
24 information on my behalf.

25 9. When graphics are labeled, I find navigating web pages to be possible and even efficient.
26 I can readily use the web pages of Macy's, Nordstrom, Gap, and Victoria's Secret. Compared to
27 other web pages, Target has been terrible to navigate.

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1 Experience with Target Retail Stores

2 10. I like to shop at Target because I believe their products are affordable and of good
3 quality. My friends and family like to shop at Target stores as well.

4
5 Harms Experienced Because of the Inaccessibility of Target.com

6 11. I find it inconvenient to travel to a physical Target store. I tend to buy a lot of products,
7 and as a result, I must take a taxi or must have someone drive me to and from the store. It takes
8 25 minutes to commute back home, and taxi rides can be expensive. Moreover, taxi services
9 often involve long waits and can be unreliable.

10 12. I find shopping online to be faster and more convenient than shopping in a physical store.
11 Firstly, I do not have to worry about transportation to the store. I have limited time due to full
12 time work and the commute to my job. Secondly, I sometimes feel as if customer service
13 personnel perceive the time that they spend helping me as wasted. I do not enjoy feeling as if I
14 am bothering them when I am trying to compare several different products. Finally, I find that
15 the product descriptions can be better online. As a result, I can use Target.com in order to
16 preview products that I can then ask for and purchase when I go to a physical Target store.

17 13. I have used Target.com at least three times. These visits occurred over the last several
18 years; the last instance was in April 2006. Since then, I have actively avoided the web page
19 because of its inaccessibility.

20 14. Despite my Internet proficiency, I found the site difficult to navigate because of
21 inexplicable code and garbled text. The hyperlinks on the page were often random numbers or
22 letters so that I was unable to determine where they led.

23 15. I had great difficulty using the forms and fields on Target.com. I needed to switch
24 computer modes in order to determine what information went into which field. On other web
25 pages, this task is done quite easily and readily.

26 16. During my first experience with the site, I exhausted four strategies of site navigation and
27 was still unable to purchase products. For half an hour, I attempted to "check out" using all the

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1 Internet access strategies that I used to teach to students. I even called and asked other friends for
2 suggestions, but my attempts failed.

3 17. I was unable to use the "Continue to Checkout" button. I tried to click on this button in
4 four different ways with my JAWS cursor and my Braille display, but I was unable to click on
5 the button and purchase products. First, I tried to press Enter on this button. Second, I routed
6 JAWS to the check-out button in an attempt to double-click on it with my Braille display. Third,
7 I used the JAWS cursor and attempted to double-click with the slash on the number pad. Fourth,
8 I went to my home laptop computer and attempted to use the mouse button in conjunction with
9 the JAWS cursor. All my attempts and efforts failed.

10 18. When my friend used Target.com to set up her wedding registry, I avoided using the site
11 because I believed that I would be unable to purchase gifts through it.

12 19. In another instance, I was trying to buy a garbage bin with a lid to prevent my dog from
13 eating rubbish. Making this purchase at a store is problematic for me because, as a blind person, I
14 would have trouble carrying such a product home. However, I was prevented from this purchase
15 on Target.com since I could not click on the check-out button.

16 20. Target.com made me feel frustrated and disgusted. When I desire a specific product, I
17 find it very frustrating to find it and not be able to buy it.

18 21. Target.com did not treat me the same as a sighted individual. I feel that the web site did
19 not allow me to perform simple tasks that any sighted person can perform.

20 22. The lack of access on Target.com compromised my independence and forced me to rely
21 on others. I have to call someone else to check out, and I cannot get good descriptions of
22 products. More importantly, if I get another person to help me use Target.com, I must reveal
23 personal information, such as my address and credit card number, to them.

24 23. My hope is that Target will make and keep its website fully and easily accessible for the
25 blind so that I can shop the website just as sighted people do.

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

Executed this January day of _____, 2007, at Albany, California.

SHANNON DILLON

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Shannon Dillon 1/31/07

EXHIBIT 23

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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
TIM ELDER IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

DISABILITY RIGHTS ADVOCATES
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510.665.8644

1 I, Tim Elder, 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 2. Attached hereto as **Exhibit A** is a true and correct copy of my earlier declaration in this
5 case. I am submitting this supplemental declaration to further explain how I use retailers'
6 websites, and would like to use Target.com if it were accessible, to make shopping in the stores
7 more effective and efficient.

8 3. I am 27 years old.

9 4. I reside in San Francisco, California.

10 5. I have been legally blind since 2004.

11 6. I have visited several Target stores in the Bay Area, including stores in the Palo
12 Alto/Menlo Park area and in Livermore. I have been shopping at Target stores for many years,
13 and have historically visited Target stores several times a year.

14 7. Though shopping online has many advantages, there are many times where I need or
15 choose to do my shopping in-person at a physical store. Sometimes, for example, I need a
16 product immediately and so can't wait for it to be delivered. Sometimes, for example, I may
17 want to get my hands on a product before making the final decision to buy it.

18 8. One of the ways that I make shopping at physical stores easier and more efficient is by
19 using a store's website, as long as it is accessible, to get information about what's at the store
20 before I go to the store. I can use stores' websites to compare prices and product availability
21 among several stores and get extensive information about the products that are sold in the stores,
22 including some information that I can't get, or may have difficulty getting, in person because I
23 am blind. This process allows me to identify the right store to go to, without having to
24 physically visit several stores to figure out where to buy what I want, and it saves me
25 considerable time once I get to the store because I know what I want when I get to the store.

26 9. For example, when I shop for appliances, I find it useful to get price and other product
27 information online, comparison shop among several stores to get the best deal, and check stores'

1 websites for availability. Having done that research at my convenience on my computer, I can
2 choose the single best store to visit and can get in and out of that store quickly with the product
3 that I want, without having to rely too much on assistance from anybody.

4 10. I have attempted on numerous occasions to access Target.com with my screen reader, but
5 have found it extremely difficult, and at times impossible, to access information on the website.
6 My difficulties trying to access Target.com are described in my earlier declaration in this case.

7 11. If Target.com were accessible, I would like to use the website to get information about
8 the goods and services that are offered at Target stores. That would allow me to shop more
9 efficiently and independently at Target stores when I go there. It would also allow me to
10 compare the prices and product selection at Target stores with other stores, and help me decide
11 whether or not to buy particular products at Target stores.

12 12. As described in my earlier declaration in this case, I was not able to access the wedding
13 registry page on Target.com when my friends were registered at Target. By contrast, I have been
14 able to access the online registry pages on other retailers' websites. For example, on the
15 occasion that I was not able to access Target.com's wedding registry page, I visited Bed Bath &
16 Beyond's website because my friends were registered there as well. I was able to access the
17 registry page on Bed Bath & Beyond's website with no problem, and made a purchase for my
18 friends on Bed Bath & Beyond's website.

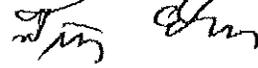
19 13. I understand that visitors to Target.com can access coupons for savings on goods and
20 services offered at Target stores. I would like to be able to access and use the coupons there as
21 sighted visitors can, and would do so if Target.com were accessible.

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

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Executed this 22 day of May, 2007, at San Francisco, California.



TIM ELDER

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EXHIBIT A

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

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

23 Plaintiffs,

24 v.

25 TARGET CORPORATION,

26 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

**DECLARATION OF TIM ELDER IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

Hearing Date: June 12, 2006

Time: 2:00 p.m.

Judge: The Honorable Marilyn Hall
Patel

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1 I, Tim Elder, 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 **Background**

5 2. I am 26 years old.

6 3. I reside in Palo Alto, California.

7 4. I have been legally blind since 2004.

8 **Internet Use**

9 5. I have used the screen reading software "JAWS" to access computers and, especially, the
10 internet for at least six months.

11 6. I use the internet every day for a variety of functions and activities in my daily life,
12 including: email, shopping for groceries and other products, maintaining my own website,
13 browsing and reference, and search functions.

14 7. I shop online rather than go to a physical store because I find it significantly easier to do
15 so. To go to a physical store, I must arrange a ride with a friend or family member or use public
16 transportation, which often does not get me within close enough proximity to a store to make
17 such a trip worth the trouble.

18 8. In addition, when I shop online I can read product labels, descriptions, and price
19 information that I would not be able to read at a physical place without assistance.

20 9. Using my screen reader to access the internet has significantly improved my own view of
21 my independence to conduct personal business without the help of others.

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

23 10. I would like to shop at Target.com because traveling to the physical retail location
24 necessitates a significant expense of time, energy, and money.

25 11. I have attempted on numerous occasions to access Target.com with my screen reader.

26 12. I have found it extremely difficult, and at times impossible, to browse for and purchase
27 products on Target.com using my screen reader.

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13. Upon accessing Target.com on several occasions, I have become frustrated with inexplicable code and garbled text. I have attempted to purchase items at Target.com, but I was unable to complete a purchase using my screen access software.

14. I have been told that there are many useful store-related features on the Target.com website, including weekly advertisements and a wedding registry, which I would use if they were accessible.

15. Friends of mine were registered at Target's wedding registry, but I could not access the wedding registry page on Target.com and so I went to a different website to purchase a gift for them.

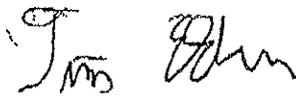
16. I have found the entire process of attempting to access Target.com to be extremely frustrating and aggravating.

17. If Target.com were an accessible website I would visit the website and make purchases at the website.

18. My inability to use Target.com thwarts my independence and forces me to rely on others unnecessarily.

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

Executed this April day of 25, 2006, at Palo Alto, California.



TIM ELDER

EXHIBIT 24

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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

**DECLARATION OF SHARON MANEKI
IN SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION**

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DISABILITY RIGHTS ADVOCATES
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1 I, Sharon Maneki, declare as follows:

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

4 2. I am 60 years old and I live in Columbia, Maryland.

5 3. I have been blind since birth.

6 4. I have been a member of the National Federation of the Blind for approximately 30 years.

7 5. I use a screen reader to access the internet, among other computer programs. I have been
8 using a screen reader to access the internet since approximately 2000.

9 6. I visit Target retail stores regularly. I have been shopping at Target stores for several
10 years, and I generally visit a Target store every one or two months. The Target stores that I visit
11 most frequently are one in Columbia, Maryland and one in Ellicott City, Maryland.

12 7. I often shop at physical retail stores. I sometimes will go to a store's website and review
13 information about the products that they sell in the store, including price information and product
14 details. That saves me a lot of time when I go to the store because I already know what I want,
15 from looking at the website, when I get there. It also means that I can largely avoid having to
16 rely on someone that works at the store to help me shop in the store, which can be very time
17 consuming and makes me feel very dependent.

18 8. I was recently looking to buy pots. I thought that they might carry the pots that I wanted
19 at Bed Bath & Beyond. I went to the Bed Bath & Beyond website to see if they in fact carried
20 the pots that I was looking for. It turned out that they did not carry those pots, and so I did not
21 go to the Bed Bath & Beyond store to buy pots. My visit to Bed Bath & Beyond's website saved
22 me a trip to the store.

23 9. I have tried to access Target.com approximately four or five times. I have found
24 Target.com to be extremely difficult to navigate using a screen reader. In fact, in my attempts to
25 access Target.com, I was not able to get very far on the website at all. Target.com was poor
26 compared to other retailers' websites in terms of accessibility.

27 10. If Target.com were accessible, I would want to preview products that are at Target stores
28

1 on the website, so that I could shop more quickly and independently at Target stores.

2 11. If Target.com were accessible, I would like to be able to access the coupons that I
3 understand are on Target.com. I would like to be able to review the coupons and use them to get
4 discounts at Target stores.

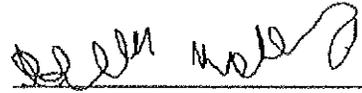
5

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

8

9 Executed this 19th day of May, 2007, at Columbia, Md.

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SHARRON MANEKI

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EXHIBIT 25

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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
OLGA PETERKIN IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

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

1 I, Olga Peterkin, 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 2. Attached hereto as **Exhibit A** is a true and correct copy of my earlier declaration in this
5 case. I am submitting this supplemental declaration to explain how I use retailers' websites, and
6 would like to use Target.com, to make shopping at the stores easier.

7 3. My name is Olga Peterkin, and I was born March 16, 1964.

8 4. Due to glaucoma, I have been legally blind since birth.

9 5. I am a full-time mother. I work part-time for the Helping Hands program, which assists
10 developmentally disabled adults.

11 6. My primary residence is in Orange, California.

12 7. I have been a member of the Orange County chapter of the National Federation of the
13 Blind since August 2006.

14 8. I like purchasing particular products, such as soaps, shampoos, vitamins, over-the-counter
15 medicines, and other household products, at Target retail stores. I believe Target products are
16 affordable. My family and friends use Target stores.

17 9. I shop at Target stores very often, at least two times per month. I primarily shop at two
18 Target stores, one in Fullerton, California and one in Orange, California. I have been shopping
19 at Target stores for many years.

20 10. I like to use stores' websites, when they are accessible, to get an idea of the products
21 available in the store so that I can use my time more efficiently when I visit the store.
22 Researching product information and prices online before going to the store allows me to get in
23 and out of the store much more quickly, and allows me to shop more independently, since I don't
24 have to depend on anyone in the store to read me product descriptions and prices or walk around
25 with me to help me shop.

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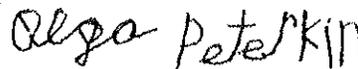
1 11. I have attempted to access Target.com, but have found the website to be largely
2 inaccessible. My frustrating experiences trying to access Target.com are described in my earlier
3 declaration.

4 12. I would like to be able to use Target.com to preview products that I can purchase at
5 physical Target stores. That would allow me to shop Target's retail store more efficiently.
6 Given how often I shop at Target stores, being able to use Target.com to preview products
7 available at the store would mean a significant time savings for me, and would allow me to shop
8 with a greater degree of independence. I understand that Target.com allows visitors to preview
9 products that are available at Target stores. If it were accessible, I would use Target.com for that
10 purpose.

11 13. I understand that Target posts coupons on Target.com that allow shoppers to get
12 discounts on products at Target stores. I would like to have the opportunity to read and
13 download coupons from the website for use at the stores, and would like to use this feature if it
14 were accessible.

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

18 Executed this 24 day of May, 2007, at Orange, California.

19
20 

21 OLGA PETERKIN

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EXHIBIT A

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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
their members, and Bruce F. Sexton, on behalf
23 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 OLGA PETERKIN
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, Olga Peterkin, 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 Olga Peterkin, and I was born March 16, 1964.

7 3. Due to glaucoma, I have been legally blind since birth.

8 4. I am a full-time mother. I work part-time for the Helping Hands program, which assists
9 developmentally disabled adults.

10 5. My primary residence is in Orange, California.

11 6. I have been a member of the Orange County chapter of the National Federation of the
12 Blind since September 2006.

13
14 **Computer and Internet Use**

15 7. I have used computers since 1998. I believe I am a proficient computer user since I can
16 use most software programs I need as well as access most web pages.

17 8. I have used the Internet since 2000. The Internet allows me to communicate via e-mail,
18 research home-schooling resources for my children, browse products I want to buy, organize my
19 finances with online banking, surf web sites for fun, among other tasks.

20 9. I have used JAWS screen-reading software since 1998. Screen-reading software makes
21 me a much more independent person.

22 10. When web pages are properly coded, I can access them. I regularly use the web pages of
23 MSN, XM radio, Google, CitiBank, and Washington Mutual. The majority of web sites I have
24 used are much more accessible than Target.com.

25
26 **Experience with Target Retail Stores**

27 11. I like purchasing particular products, such as soaps, shampoos, vitamins, over-the-counter
28

1 medicines, and other household products, at Target retail stores. I believe Target products are
2 affordable. My family and friends use Target stores.

3
4 **Harms Experienced Because of the Inaccessibility of Target.com**

5 12. I like to use online stores to get an idea of available products so that I can use my time
6 more efficiently when I visit physical stores. I have previously sought out information regarding
7 vitamins, books, and clocks in this manner.

8 13. Similarly, access to Target.com would allow me to preview products I can purchase at
9 physical Target stores. It would also allow me to have big items shipped to me directly. These
10 features are of particular importance to me since I am a blind individual.

11 14. It is somewhat inconvenient for me to travel to a physical Target store. I do not always
12 have someone willing to drive me. Using the public bus, it takes about forty minutes to commute
13 each way to Target. Due to my disability, it is difficult for me to carry products I purchase back
14 with me.

15 15. I attempted to use Target.com twice. The last instance was in November 2005. I spent at
16 least one hour trying to navigate the site and purchase products. I refrained from revisiting the
17 site due to its inaccessibility.

18 16. I found inexplicable code and garbled text prevented me from fully navigating
19 Target.com.

20 17. Target.com contained links and images without labels about what they were or what they
21 did. Since I had to click on images to get to where I wanted to go, I found the site to be difficult
22 to use.

23 18. Target.com did not have headings so that I could skim the page at hand.

24 19. I found that the Continue to Checkout button required mouse clicks so as to be
25 inaccessible. I could not place my JAWS cursor on a location where I could click the button.
26 Hence, I was unable to proceed with my purchase.

27 20. I would like to access wedding and baby shower registries on Target.com.

1 21. Using Target.com made me frustrated and angry. I felt that Target did not care that blind
2 people like me were struggling to use its web page.

3 22. The lack of access on Target.com compromised my independence and forced me to rely
4 on others to shop.

5 23. My hope is that Target will make and keep its website fully and easily accessible for the
6 blind so that I can shop the website just as sighted people do.

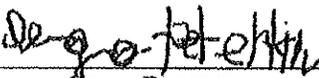
7

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

10

Executed this December day of 16, 2006, at Orange, California.

11



OLGA PETERKIN

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DISABILITY RIGHTS ADVOCATES
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EXHIBIT 26

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15 **UNITED STATES DISTRICT COURT**
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17 **SAN FRANCISCO DIVISION**

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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 KEN METZ IN
SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION**

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

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1 I, Ken Metz, 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 2. I am submitting this declaration to explain how I use retailers' websites, and would like
5 to use Target.com if it were accessible, to enhance my in-store shopping experiences.

6 3. I am 61 years old.

7 4. I have been blind since birth.

8 5. I reside in San Gabriel, California.

9 6. I am the director of the Davidson Program for Independence, an instructional program for
10 newly blind adults, at Junior Blind of America.

11 7. I have been shopping at Target stores for about four years. Until recently, my wife and I
12 shopped at the Target store in Los Angeles on La Cienega Blvd. We recently moved, and now
13 will shop at the Target in Alhambra.

14 8. I shop at Target stores about once a month. I like Target because they have a wide
15 selection of items at reasonable prices.

16 9. The internet is an integral part of shopping for me—I probably use retail websites three
17 or four times every week. The internet has made me substantially more independent, because I
18 have to ask for assistance much less often. For example, my wife and I like to look up menus
19 before going out to eat, which makes dining much easier. When I shop in stores, I can come
20 equipped with information about what products I want.

21 10. Sometimes I purchase items online, but there are many times when I prefer to physically
22 check out items before purchasing them. Although I will order canned foods delivered, I will
23 only buy produce or meat in person. Likewise, there are many non-food items that I prefer to
24 actually inspect.

25 11. I regularly use Costco.com and Walmart.com to view and compare products before going
26 into those stores. I also frequently use the YellowPages, Washington Mutual Bank, and MTA
27 websites.

28

1 12. I have tried to use Target.com on multiple occasions. I found the site very difficult to
2 use. Target.com was much more graphic-intensive than other websites I regularly use; and many
3 of the images had no alt-text. Because of all the graphics, it took me a very long time to find
4 what I was looking for; and I didn't know whether I had missed information along the way.
5 When (or if) I finally found a product, the visual nature of the pages made the descriptions less
6 useful to me.

7 13. If Target.com were accessible, I would like to be able to use it to compare items and to
8 view prices and product descriptions more easily and independently. This would make shopping
9 in the stores easier and more efficient.

10 14. I would also like to be able to print coupons from Target.com to take to the stores. Like
11 everyone else, I prefer to save money.

12

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

15 Executed this ____ day of May, 2007, at San Gabriel, California.

16 

17
18 KEN METZ

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