

# EXHIBIT 27

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

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1 I, Ken Volonte, 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 55 years old.

9 4. I have been legally blind since birth due to a congenital disease.

10 5. I reside in Stockton, California.

11 6. I have been a member of the National Federation of the Blind for 35 years.

12 7. I have been a member of the National Federation of the Blind of California for 35 years.

13 8. I visit the closest Target store in Stockton approximately three or four times per year. I  
14 have been shopping at Target stores for many years.

15 9. I regularly visit physical retail stores of all kinds to shop and make purchases. If a store  
16 has an accessible website, I sometimes will research on the website the products that are  
17 available at the store, so that I know what store to go to and what to ask for when I get there. I  
18 have found that doing so allows me to spend less time in stores and more time doing the things  
19 that I'd rather be doing. I have used this method in shopping, for example, for appliances and  
20 electronics.

21 10. For some items, like electronics, I need to be able to get my hands on an item, so that I  
22 know whether I can access its features, before I can make the decision to purchase it. So for that  
23 kind of item, for example, I will often look up information online about the choices available in a  
24 particular store, and then go down to the store to check out the most promising choice or choices  
25 in person, and then maybe make a purchase. Looking up the information online saves me time in  
26 the store because I know exactly which products I need to check out when I walk in the store.

27 11. For example, I was recently in the market for a new receiver for my stereo. I went to  
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1 Circuit City’s website to check out the receivers that they had at their stores. I found a receiver  
2 that I wanted, went to the Circuit City store to check it out in person, and bought it.

3 12. I have tried to access Target.com on numerous occasions, but have found the website to  
4 be largely inaccessible. My difficulties trying to access Target.com are described in my previous  
5 declaration in this case.

6 13. If Target.com were accessible, I would like to use the website to get information about  
7 the products that are available at Target stores so I can shop Target stores more efficiently and  
8 effectively.

9 14. I understand that Target posts weekly advertisements on Target.com for goods and  
10 services that are on sale at the stores. I would like to access those ads on Target.com if the  
11 website was accessible.

12 15. I understand that Target customers can order prescription refills on Target.com and then  
13 pick up the refills at a Target store. I currently use the pharmacy services at Walgreens. I am  
14 able to use the Walgreens website to order prescription refills and then pick up the refills at a  
15 physical Walgreens store. I find this to be a major benefit of using Walgreens for my pharmacy  
16 needs. I wish that I had the option to use Target’s pharmacy services, but unless I can access  
17 Target’s online pharmacy services, Target’s pharmacy services, overall, are inferior to  
18 Walgreens’ pharmacy services and not an attractive option.

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 \_\_\_\_ day of May, 2007, at Stockton, California.

24  
25 \_\_\_\_\_  
KEN VOLONTE

DISABILITY RIGHTS ADVOCATES  
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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 KEN VOLONTE 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, Ken Volonte, 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 legally blind since birth due to a congenital disease.
- 7 4. I reside in Stockton, California.
- 8 5. I have been a member of the National Federation of the Blind for 35 years.
- 9 6. I have been a member of the National Federation of the Blind of California for 35 years.

10 **Internet Use**

- 11 7. I have used the screen reading software "JAWS" to access computers and, especially, the  
12 internet for eight months. Before that, I used a DOS computer that could not access the internet.
- 13 8. I decided to switch to a Windows-based computer in order to take advantage of all the  
14 internet has to offer, including newsgroups, shopping, and email.
- 15 9. I use the internet every day for a variety of functions and activities in my daily life.
- 16 10. I prefer to shop online rather than going to a physical store mostly because I like to avoid  
17 crowds, especially around the holiday season.
- 18 11. Using my screen reader to access the internet has significantly improved my own view of  
19 my independence to conduct personal business without the help of others.

20 **Experience with Target Retail Stores**

21 12. I have shopped at a Target store that is near my home.

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

- 23 13. I have attempted on numerous occasions to access Target.com with my screen reader.
- 24 14. I have found it extremely difficult, and at times impossible, to browse for products on  
25 Target.com using my screen reader.
- 26 15. Upon accessing Target.com on several occasions, I have become frustrated with  
27 inexplicable code and garbled text that has prevented me from continuing to navigate through the  
28 site.



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1 16. If Target.com were accessible to my screen reader, I would use it to shop frequently. I  
2 like Target's selection of products and their prices.

3 17. I have been told that there are many useful store-related features on the Target.com  
4 website, including weekly advertisements and an online pharmacy, which I would like to use if  
5 the website were accessible.

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

8 19. Because the problems I have encountered on Target.com when using my screen reader  
9 have prevented me from making purchases, I have decided to purchase items on different  
10 websites instead of going to the Target retail store near me.

11 20. Target.com's inaccessibility makes me feel as though Target does not care about me as a  
12 customer or my patronage of their stores and website because I am blind.

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

15

16 I declare under penalty of perjury under the laws of the State of California that the  
17 forgoing is true and correct.

18

19 Executed this April day of \_\_\_\_\_, 2006, at Stockton, California.

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KEN VOLONTE

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

- 1 16. If Target.com were accessible to my screen reader, I would use it to shop frequently. I
- 2 like Target's selection of products and their prices.
- 3 17. I have been told that there are many useful store-related features on the Target.com
- 4 website, including weekly advertisements and an online pharmacy, which I would like to use if
- 5 the website were accessible.
- 6 18. I have found the entire process of attempting to access Target.com to be extremely
- 7 frustrating and aggravating.
- 8 19. Because the problems I have encountered on Target.com when using my screen reader
- 9 have prevented me from making purchases, I have decided to purchase items on different
- 10 websites instead of going to the Target retail store near me.
- 11 20. Target.com's inaccessibility makes me feel as though Target does not care about me as a
- 12 customer or my patronage of their stores and website because I am blind.
- 13 21. My inability to use Target.com thwarts my independence and forces me to rely on others
- 14 unnecessarily.

15  
16 I declare under penalty of perjury under the laws of the State of California that the  
17 forgoing is true and correct.

18 Executed this April day of 18, 2006, at Stockton, California.

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21   
22 \_\_\_\_\_  
23 KEN VOLONTE

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# EXHIBIT 28

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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  
ANN TAYLOR IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

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DISABILITY RIGHTS ADVOCATES  
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1 I, Anne Taylor, 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 Anne Taylor.

5 3. I live in Catonsville, Maryland.

6 4. I am the Director of Access Technology for the National Federation of the Blind.

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

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

9 7. I often consult store websites before shopping at the physical store. Typically, I look  
10 for prices, product information and specifications, and product / customer reviews on the website  
11 before deciding to buy an item from the store. I visit the websites for stores such as Wal-Mart,  
12 Hecht's (now Macy's), Safeway, and music stores.

13 8. Going to a store's website before buying products from the physical store has a  
14 number of benefits. First, I can get a comprehensive overview of the product area I am  
15 interested in. I can also find detailed information about the products without having to rely on a  
16 store clerk's description. Sometimes I can find out from the website whether my local store  
17 carries the item I want to buy. At the very least, by visiting the website in advance, I can easily  
18 determine which products I want to buy, note the item numbers, and even call the store to ask  
19 them to hold the items for me. Then, all I need to do is walk into the store and pay. Since I often  
20 take a cab to get to the store, using store websites before I go shopping saves me both time and  
21 money.

22 9. I shop at Target stores at least six times per year. There are nearby Target stores in  
23 Columbia, Ellicott City, and Glen Burnie, Maryland. I have been shopping at Target stores for  
24 over six years.

25 10. I shop at Target because I find Target's products are generally of better quality than  
26 Wal-Mart's. I also like to shop at Target because its stores appear to be clean and well-  
27 organized. I buy clothes, electronics and household products at Target.

28

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1 11. In the past, I have tried to use Target's website to find product information with  
2 extensive difficulty and frustration. For example, at Christmastime last year, I wanted to buy a  
3 Star Trek: The Next Generation box-DVD set for my husband, who is a big Start Trek fan. At  
4 the time, I was planning to go to a Target store to purchase household products. I went to  
5 Target's website to find out whether Target sold the DVD set, thinking that if it did I would pick  
6 up the gift while at the Target store. Using Target's website proved to be a significantly  
7 cumbersome and nearly impossible task. I had difficulty navigating the page and could not find  
8 what I was looking for. After a while, I gave up and went to Wal-Mart.com where I found and  
9 purchased the DVD set I was looking for.

10 12. On another occasion, I tried to access Target's gift registry to buy a present for a  
11 friend's wedding. Again, it was overwhelmingly difficult to get to the registry and find the  
12 items. I could not navigate through the online registry easily or find information about the gifts.  
13 So, I asked my friend who was getting married to find a product she wanted from another  
14 website and paid for it with my credit card.

15 13. Because I have experienced so much difficulty when attempting to use Target's  
16 website, I shop more frequently at Wal-Mart stores. Although I prefer Target's products and  
17 stores to Wal-Mart's, Wal-Mart's website is far easier and faster for me to use.

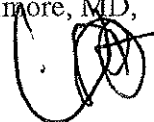
18 14. If Target's website were accessible, I would use it to find product and sale  
19 information, as well as gift registry items, before going to Target stores. I would also shop at  
20 Target more frequently than I currently do.

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



ANNE TAYLOR

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# EXHIBIT 29



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15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
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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  
MARIA MORAIS IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

1 I, Maria Morais, 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. 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 experience.

7 3. My name is Maria Ernestina Morais. I was born February 1, 1966.

8 4. I have no functional vision. I was born with low vision, but I have lost my sight due a  
9 progressive eye condition. I have been legally blind since I was ten years old.

10 5. I am a homemaker.

11 6. I reside in Ruston, Louisiana.

12 7. I have been a member of the National Federation of the Blind since 1986.

13 8. I shop at Target stores. I like their merchandise. I think they have a nice variety of high  
14 quality products which are available at affordable prices. I shop at the Target store closest to my  
15 house, which is about 30 miles away, in Monroe, Louisiana. I have been to that Target store  
16 approximately 4 or 5 times in the past year. In all, I've been shopping at Target stores for about  
17 13 or 14 years.

18 9. Though I generally prefer to shop online when I can, there are lots of times when I make  
19 purchases in physical retail stores, including Walmart and many other stores. I often visit  
20 retailers' websites to get information about the products that they sell at their stores. That way, I  
21 know what products I can expect to find when I get to the store and what I can expect to pay for  
22 them. With that information, I know what questions to ask when I get to the store and can get  
23 out of the store more quickly. Also, if I learn from the website that the store doesn't have a  
24 product that I'm looking for or they have it at a price that I'm not happy with, I can avoid the  
25 hassle of going to the store for nothing. I use Walmart.com for these purposes fairly often. I  
26 also use Loews.com and other retailers' websites for these purposes regularly.

27

28

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

Case No.: C 06-01802 MHP

Supplemental Declaration of Maria Morais in Support of Plaintiffs' Motion for Class Certification

DISABILITY RIGHTS ADVOCATES  
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1 10. Recently, I have been looking to buy a play house for my kids. I visited Toys 'R Us to  
2 check what they had available and their prices, and decided not to buy it there. I then visited  
3 Walmart.com, to check what they had available at their stores. I then went to a Walmart store to  
4 check out their options in person. I am still in the process of shopping for the play house.

5 11. I have attempted to use Target.com, but have found it difficult to access information on  
6 the website. My attempts and frustrations trying to access the website are described in my earlier  
7 declaration. If it were accessible, I would like to use Target.com in the same way that I use  
8 Walmart.com and other retailers' websites—to get information about products available at the  
9 store before I go to the store.

10 12. Being able to use Target.com to get information about products available at the store  
11 would allow me to shop more efficiently at Target stores, as I am able to do at Walmart and the  
12 stores of other retailers that have accessible websites. I would be able to know exactly what I  
13 want when I get there and could just ask someone to get the product that I want. Also, in the  
14 case of Target, because the closest store is pretty far away from my home, and getting to and  
15 from there can be a hassle and an expense, it would be particularly helpful to know what is  
16 available at the store and at what price before deciding whether or not it makes sense to go to the  
17 store at all.

18 13. As described in my earlier declaration in this case, I tried but was unable to use  
19 Target.com's baby registry services because the website was not accessible. One of my friends  
20 registered with Target, but I could not see what she registered for or buy a gift for her on  
21 Target.com.

22

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

25

26

Executed this 23 day of May, 2007, at Ruston, Louisiana.

27

28

# EXHIBIT A

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17 NORTHERN DISTRICT OF CALIFORNIA  
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22 THE BLIND OF CALIFORNIA, on behalf of  
of their members, and Bruce F. Sexton, on behalf  
23 of himself and all others similarly situated,

24 Plaintiffs,

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Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF MARIA MORAIS 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, Maria Morais, 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  
5 **Background**

6 2. My name is Maria Ernestina Morais. I was born February 1, 1966.

7 3. I have no functional vision. I was born with low vision, but I have lost my sight due a  
8 progressive eye condition. I have been legally blind since I was ten years old.

9 4. I am a homemaker.

10 5. I reside in Ruston, Louisiana.

11 6. I have been a member of the National Federation of the Blind since 1986.

12  
13 **Computer and Internet Use**

14 7. I have used computers since 1988, and I would say I am an average computer user.

15 8. I have accessed the Internet since 2000. I use it everyday. I use it to purchase products  
16 online, send and receive e-mail, research information (such as how to fix my house), keep up  
17 with the news, among other tasks.

18 9. I have used JAWS screen-reading software since 1993. Screen-reading software has  
19 enabled me to access information that I could not otherwise obtain without it. Before I used  
20 JAWS, I used other screen-reading software.

21 10. When web sites are properly coded, I can use them. I regularly use the web sites of  
22 Google, my local newspaper, and Lowes. I believe the vast majority of web pages are more  
23 accessible than that of Target.

24  
25 **Experience with Target Retail Stores**

26 11. I shop at Target stores. I like their merchandise. I think they have a nice variety of high  
27 quality products which are available at affordable prices. We do not have a Target store in my

1 town. My friends and family shop at Target stores in other locations.

2  
3 **Harms Experienced Because of the Inaccessibility of Target.com**

4 12. I prefer to shop in online stores for household appliances because transportation no  
5 longer becomes an issue and descriptions for these products are reliable and accurate. I also like  
6 to use online stores to get a preview of products available in the physical store.

7 13. I would like to shop at Target.com because we do not have a local Target store. Since my  
8 husband and I are both blind, it is very inconvenient for me to travel to a physical Target store. I  
9 would have to travel 60-70 miles round trip if I wanted to purchase their products. Moreover,  
10 there is no public transportation, and I would need to hire a driver. I estimate this would cost  
11 roughly \$30. This expense discourages me from visiting Target. Despite these difficulties, if  
12 Target.com were easily accessible, I would definitely use it in connection with my future visits to  
13 Target's retail stores. Secondly, many people I know have had their baby shower registries  
14 through Target.com, and I would like to purchase gifts through the site.

15 14. I used Target.com twice in June 2006. I spent only 10 minutes on the site because I  
16 essentially found the site totally inaccessible.

17 15. When I first visited the site, I found that I could not access the Baby Shower registry on  
18 Target.com. I could only see the "Target" name on the page, but I could not get any other  
19 information by which to navigate the page.

20 16. Target.com had links and images without labels as to what they were or what they did.

21 17. It did not properly use headings so that I could skim the contents of its web pages.

22 18. I was unable to find products as well as find or use the button Continue to Checkout.

23 19. A few weeks ago, I heard about a talking crayon toy for my children, a product which  
24 was available on Target.com. To purchase the product, I resorted to giving my personal  
25 information, including my credit card information, to a friend so that she could process the order  
26 for me.

1 20. Target.com does not treat me the same as a sighted individual. My experience on the  
2 page has made me feel as if Target does not want my business. It is annoying and frustrating to  
3 find that an entire web site is inaccessible to me.

4 21. Lack of access on Target.com compromised my independence and forced me to rely on  
5 others.

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

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

11 Executed this December day of 14, 2006, at Ruston, Louisiana.

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14 MARIA MORAIS

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# EXHIBIT 30

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DISABILITY RIGHTS ADVOCATES  
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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  
ROBERT CROWLEY IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

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1 I, Robert Crowley, 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 Windsor, New York.

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 use the Internet to compare and learn about prices before I go shopping at the  
7 physical store. About twice a month, I visit websites of stores such as Wal-Mart, K-Mart,  
8 and Dick's Sporting Goods, before going to their physical locations to shop. I use the  
9 websites to find out which store offers the best price for the products I want to buy and to  
10 find out what products are on sale.

11 5. It is faster and easier for me to look up price and sale information on a store's  
12 website before I go into the store. Doing so saves me the time of relying on a store clerk  
13 or friend to tell me the same information at the store. Plus, I like finding the information  
14 independently.  
15

16 6. I go shopping at the Target store in Binghamton, New York, about four times a  
17 year. I enjoy going on outings to Binghamton in the summer months when the weather is  
18 pleasant and shop at Target and other stores while I am there.  
19

20 7. I have tried to use Target's website in the past but was unsuccessful because the  
21 website was not accessible to me. My experiences trying to access Target.com are  
22 described in my previous declaration in this case.  
23

24 8. If Target's website were accessible, I would use the website to find sale  
25 information and compare prices before I shop at Target stores, as I routinely do when I  
26 shop at stores that have accessible websites.  
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I declare under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_ day of May, 2007, at Windsor, New York.

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ROBERT CROWLEY

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

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

Executed this 23 day of May, 2007, at Windsor, New York.

*Robert Crowley*  
ROBERT CROWLEY

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

# 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 ROBERT  
CROWLEY 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, Robert Crowley, 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 Robert Edward Crowley, Jr. I was born June 30, 1958.

7 3. Due to vascular inclusion, I have been legally blind since October 2002.

8 4. I decided to go back to school, and I am currently a student of political science.

9 5. I reside in Windsor, New York.

10 6. I have been a member of the National Federation of the Blind for the past year.

11  
12 **Computer and Internet Use**

13 7. I am a proficient computer user. I have used computers for at least one decade.

14 8. I have used the Internet for nine years. I currently use it for shopping, banking, academic  
15 research, among other activities.

16 9. I have used JAWS 7.0 screen-reading software for two and a half years. Screen-reading  
17 software has made me much more independent because I can perform important functions in my  
18 life with it that I could not do without it. After I become blind but before I had JAWS, I avoided  
19 computers and thus I did not shop, bank, or do research online.

20 10. If web sites are properly coded, I can use them. I regularly use the web pages of my  
21 college, MSN, Walmart, and Bank of America. Target's web page is not as accessible as other  
22 web pages I use. The majority of pages I have come across are more accessible than Target.com.

23  
24 **Experience with Target Retail Stores**

25 11. I have a strong interest in purchasing Target products. Since I live in a rural area, Target  
26 is one of the closer stores as it is about twenty miles from where I live. My friends, family, and I  
27 shop at Target, and I like that their stores are spacious so that I do not walk into items as often.



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1 Their products are of good quality, and their prices are competitive.

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

3 12. I prefer to shop online so that I can carefully compare prices for products I want to buy. I  
4 believe Target.com provides coupons and sales, and I would like access to these benefits.  
5 However, if Target.com were easily accessible, I would also definitely use it in connection with  
6 my future visits to Target's retail stores.

7 13. It is inconvenient for me to travel to the physical Target stores. I cannot drive myself, and  
8 there are no cabs or buses where I live. I have to wait for a friend's schedule to match my own.  
9 Once I find someone, it takes about thirty minutes to travel there and thirty minutes to travel  
10 back.

11 14. I have attempted to use Target.com a half a dozen times between October 2004 and  
12 August 2006. The last time I tried to access the site, I spent about thirty minutes doing so.

13 15. The last time I visited the site, in August 2006, I tried to purchase golf balls. I searched  
14 for roughly thirty minutes, but I was unable to find these items on the site. This made me feel  
15 frustrated and stupid because I am confident a sighted person could find similar products with  
16 ease.

17 16. Inexplicable code and garbled text prevented me from navigating the site. I could not  
18 make out what information the page was presenting or how to navigate it.

19 17. Target.com had links and images without labels indicating what they were or what they  
20 did. Sometimes the site listed twenty some odd links of random sayings and letters, and these  
21 links lacked substantive description.

22 18. Target.com did not use headings in a way that allowed me to skim the contents of the  
23 web page.

24 19. I could not find or use the button Continue to Checkout.

25 20. I felt that Target.com did not treat me the same as it treats a sighted individual.

26 21. Lack of access to Target.com compromised my independence and forced me to rely on  
27 others. If I cannot access it, then I need someone else to help me or purchase products for me.

28

1 22. 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

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

6

7 Executed this December day of 18, 2006, at Windsor, New York.

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ROBERT CROWLEY

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DISABILITY RIGHTS ADVOCATES  
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# EXHIBIT 31

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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 DENISE BROWN 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, Denice Brown, 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 Denice Brown.

5 3. I live in Philadelphi, Pa.

6 4. I am a retired schoolteacher.

7 5. I have been a member of the National Federation of the Blind since 2001.

8 6. I have been blind for 17 years.

9 7. I use two kinds of screen access software to access the Internet, JAWS and Magic,  
10 which is screen enlargement software supplemented by text to speech; in other words Magic  
11 functions like JAWS but has the additional component of enlarging images.

12 8. I go online at least weekly looking for specific items offered at stores convenient to  
13 my home to find out if the item is in stock and at what price. In that connection, I go to the  
14 websites for Wal-mart, Macy's, Kmart and Footlocker. I can find out what selection will be  
15 available to me at the store and what my color choices will be, what sales are going on and what  
16 the prices are. This enables me to plan my shopping. I rely principally on public transportation  
17 to get to stores or, on occasion, a sighted friend my also be planning to shop. Under either  
18 circumstance, I want to know what I will find before I go shopping.

19 9. Over the last five years, I have shopped at a Target store in South Philadelphia on  
20 occasion, perhaps as often as four times a year. The store is a bit of a drive, but I like Target  
21 because it has very good discounts.

22 10. I have tried twice to go to target.com to see what was offered in the stores. Once was  
23 about three months ago when I was hoping to see if Target had some DVDs I wanted to buy. I  
24 used JAWS, but was unsuccessful in being able to successfully navigate the site. I have not  
25 experienced similar difficulties on any of the sites listed above in paragraph 8. The second time,  
26 I was looking for a bookcase. I used Magic and was again unsuccessful. Both aspects of Magic  
27 were a problem—seizing the image to enlarge it and to give me text about what was on the

28

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1 screen. I do not remember if I also tried JAWS on the second occasion. Ultimately, I had a  
2 sighted friend order the bookcase from target.com and ship it to my home, for which I  
3 reimbursed her.

4 11. If target.com were accessible I would certainly buy more at the store, especially if the  
5 price was cheaper than other stores whose websites I visit in anticipation of shopping. For  
6 example, I would look to see what DVDs and CDs were offered in the store because I know that  
7 Target's prices on these items are cheap.

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 \_\_\_\_ day of May, 2007, at Philadelphia, Pa..

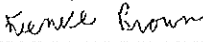
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14 DENICE BROWN

DISABILITY RIGHTS ADVOCATES  
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BERKELEY, CALIFORNIA 94704-1204  
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1 screen. I do not remember if I also tried JAWS on the second occasion. Ultimately, I had a  
 2 sighted friend order the bookcase from target.com and ship it to my home, for which I  
 3 reimbursed her.  
 4 11. If target.com were accessible I would certainly buy more at the store, especially if the  
 5 price was cheaper than other stores whose websites I visit in anticipation of shopping. For  
 6 example, I would look to see what DVDs and CDs were offered in the store because I know that  
 7 Target's prices on these items are cheap.

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 18<sup>th</sup> day of May, 2007, at Philadelphia, Pa..

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 14 DENICE BROWN

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# EXHIBIT 32



1 LAURENCE W. PARADIS (California Bar No. 122336)  
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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**

**DECLARATION OF MISTY BRANDON  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

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1 I, Misty Brandon, 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. My name is Misty Brandon. I was born on June 26, 1974.

5 3. I lost my sight in 2005 due to keratoconus.

6 4. My primary residence is in San Diego, California.

7 5. I am college student and a mother.

8 6. I have been a member of the National Federation of the Blind for approximately three  
9 months.

10 7. I am legally blind. I use a screen-reading program called Zoom Text to access the  
11 internet. Zoom Text includes an “audio enhancer” – it reads the information contained on  
12 websites aloud, including image descriptions (“alt tags”), hyperlinks, and descriptions of fields  
13 where I am asked to enter my personal information. To navigate websites, I primarily rely on  
14 toggling between links and fields, and Zoom Text informs me where my cursor has landed  
15 within a website.

16 8. I always use the internet prior to shopping at physical stores. Because I am blind, it is  
17 much easier to look around on a store’s website before I go to visit the actual store. That way, I  
18 get a sense of what is available and what the prices will be like. The only time I go to a store  
19 without checking out the website beforehand is when I am going shopping for produce.

20 9. I regularly visit store websites such as Wal-Mart, Target, and Bed Bath & Beyond. I do  
21 this to check prices and availability. Since I lost my sight, I rely on someone else to get me to  
22 the stores, and if I get to the store and they don’t have the item in stock for me to purchase, I  
23 have wasted both my own time and the time of whoever is driving me. On the other hand, if I  
24 visit the store’s website beforehand, I can figure out if the trip would be worthwhile.

25 10. There are three Target stores near my house in San Diego, CA, and I shop at all three. I  
26 have been shopping at Target since they opened, when I was still a small child. I go to Target at  
27 least twice if not three times per month to buy household products and children’s clothing.

28

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

Case No.: C 06-01802 MHP

Declaration of Misty Brandon in Support of Plaintiff’s Motion for Class Certification

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Target has everything under one roof, which is very convenient for me.

11. Before I leave to visit a Target store, it is my usual practice to make sure that the store has the items I want to purchase. This is particularly important for higher-end items. I did this as recently as one week ago. It is usually very difficult to get this information from Target's website, because Zoom Text has trouble viewing Target's website. For instance, when I do a general search for an item on Target's website, the information that come back is usually garbled, and cannot be read by Zoom Text. When that happens, I have to call in my husband or daughter to tell me what is on my screen.

12. I have tried to use Target's gift registry feature on several occasions, perhaps once every two or three months, depending on who is getting married and who is having a baby. On these occasions, I have found it impossible to maneuver through the registry, and have had to ask someone else for help, such as my husband or my teenage daughter (both of whom are sighted). It is important to me to be as independent as possible, and I would prefer not to depend on my sighted friends and family members to complete simple tasks such as reviewing a gift registry.

13. If Target's website were accessible, I would definitely use the coupons available on the site - as a college student and the mother of two children, I appreciate the opportunity to save my family money. Prior to this lawsuit, I did not even know that Target offered coupons through its website; my screen-access software was unable to perceive this option.

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 San Diego, CA.

\_\_\_\_\_  
MISTY BRANDON

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8044

1 Target has everything under one roof, which is very convenient for me.  
2 11. Before I leave to visit a Target store, it is my usual practice to make sure that the store  
3 has the items I want to purchase. This is particularly important for higher-end items. I did this  
4 as recently as one week ago. It is usually very difficult to get this information from Target's  
5 website, because Zoom Text has trouble reading Target's website. For instance, when I do a  
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8 daughter to tell me what is on my screen.

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10 two or three months, depending on who is getting married and who is having a baby. On these  
11 occasions, I have found it impossible to maneuver through the registry, and have had to ask  
12 someone else for help, such as my husband or my teenage daughter (both of whom are sighted).  
13 It is important to me to be as independent as possible, and I would prefer not to depend on my  
14 sighted friends and family members to complete simple tasks such as reviewing a gift registry.

15 13. If Target's website were accessible, I would definitely use the coupons available on the  
16 site -- as a college student and the mother of two children, I appreciate the opportunity to save my  
17 family money. Prior to this lawsuit, I did not even know that Target offered coupons through its  
18 website: my screen-access software was unable to perceive this option.

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

22 Executed this 23 day of May, 2007, at San Diego, CA.

23  
24   
25 MISTY BRANDON  
26  
27

# EXHIBIT 33

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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**

**DECLARATION OF JEFF RIOS IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

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1 I, Jeff Rios, 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 43 years old.

7 4. I am legally blind. Because I am blind, I use a screen reader, JAWS 8.0, to access the  
8 internet.

9 5. I reside in Oakley, California.

10 6. I shop at Target frequently, probably once or twice per month. The closest Target to me  
11 is in Antioch, CA. I like shopping at Target because I can get just about everything I need (other  
12 than groceries) there. Additionally, products at Target are reasonably priced, especially when  
13 there are sales.

14 7. When I shop, I don't like to browse. I like to know what I'm looking for, and not spend  
15 any extra time in stores. I have found that one very effective way for me to save time in stores is  
16 to figure out what I want using the store's website, and then print a list. I often print a list of  
17 groceries I want from safeway.com and take it with me to shop for groceries at Safeway.  
18 Particularly for large stores, like Safeway or Target, I would rather know what I need and not  
19 have to wander around a huge building.

20 8. I also like to be able to print sale information and coupons before going to a store. If I  
21 don't know that a product is on sale, I will not go to the store to purchase it; and it's not  
22 acceptable for me to have to go to the store and ask to find out what's on sale. If target.com  
23 were accessible, I would be able to find coupons from home, and know if there was something  
24 on sale that I would like to buy in the store.

25 9. I prefer to make purchases in person rather than online. I like to examine things  
26 physically before I buy them. This way I know I'm getting what I want, and I won't buy  
27 something I'll wind up returning.

28

1 10. I visited target.com earlier this year with the goal of printing coupons and finding sale  
2 information. The site was very complicated. There were too many steps before getting to the  
3 content I was looking for. The site was so convoluted that I gave up and did not find the  
4 coupons I was looking for. I had to jump through endless hoops to find specific pages. There  
5 were unlabeled images and meaningless links that made navigation very difficult.

6 11. If target.com was accessible, I would like to browse the site for products to buy in the  
7 store. I would like to be able to make a shopping list to take to Target and say "here's what I  
8 want."

9 12. If target.com was accessible, I would like to be able to check the frequent sales and  
10 coupons. I really enjoy getting a good deal, especially on something I need anyway. I would  
11 like to know that I was getting the best deal on the products I buy from Target, and not paying  
12 full price for items that sighted customers know are on sale.

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

16 Executed this 24 day of May, 2007, at Berkeley California.



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20 JEFF RIOS  
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DISABILITY RIGHTS ADVOCATES  
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BERKELEY, CALIFORNIA 94704-1204  
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# EXHIBIT 34

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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  
ROBERT STIGILE IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION**

DISABILITY RIGHTS ADVOCATES  
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BERKELEY, CALIFORNIA 94704-1204  
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I, Robert Stigile, declare as follows:

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


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

3. I frequently go to the websites for Circuit City, Costco, Best Buy and Wal-mart before shopping at those stores. I want to know if items are in stock at the stores convenient to me, details about the items, and the prices. One recent example is that I went to Wal-mart.com and looked at the specs and pricing of a "talking microwave," which I ultimately decided not to buy.

4. I have shopped at Target stores. The nearest one is 6 miles a way and I have gone there by taxi with my wife who is also blind. One thing that would be appealing about Target if the website was accessible is the convenience of a store offering a broad range of products in one place. Thus, instead of going to five stores for five items, we could get all five in one place, and seemingly, at low prices. Not having to take a cab to multiple stores would save us both time and money. Unlike Costco we would not have to pay a membership fee. If the site were accessible I would definitely be interested in the coupons and specials as these could save us even more money.

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

Executed this 24 day of May, 2007, at Reseda, California.

  
ROBERT STIGILE

# EXHIBIT A

1 LAURENCE W. PARADIS (California Bar No. 122336)  
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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 ROBERT STIGILE  
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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27  
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1 I, Robert Stigile, 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 39 years old.

6 3. I have been legally blind for 20 years.

7 4. I reside in Reseda, California.

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

9 6. I have been a member of the National Federation of the Blind of California since 1988.

10 **Internet Use**

11 7. I have used the screen reading software "JAWS" to access computers and, especially, the  
12 internet since 1994.

13 8. I use the internet every day for a variety of functions and activities in my daily life,  
14 including: browsing, online shopping, information and news gathering, and email.

15 9. In the past, I have also utilized the internet for work. For nine years, part of my job was  
16 to teach children how to use the internet.

17 10. I periodically shop online rather than going to a physical store because it is difficult to get  
18 taxis or take the bus, especially if I want to purchase a large amount of goods, and I find it much  
19 easier to complete purchases online.

20 11. 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 **Experience with Target Retail Stores**

23 12. I have shopped at a Target store that is between five and 10 miles from my home.

24 13. For me, shopping at Target's physical location near my home requires finding a relative  
25 to drive me there, calling a taxi, or taking a bus. If I take a taxi, I must then call and wait for  
26 another taxi in order to return home. If I take a bus, I must then walk a significant distance  
27 through a shopping mall, and must return to the bus stop carrying everything I purchased at the  
28 store. This situation is common, and for that reason I much prefer to shop online.

DISABILITY RIGHTS ADVOCATES  
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**Harms Experienced Because of the Inaccessibility of Target.com**

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

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

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

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

18. I have been told that there are many useful store-related features on the Target.com website, including weekly advertisements, which I would like to use.

19. I attempted to purchase a barbecue and compact discs from Target.com, but I found that completing the purchase was impossible.

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

21. Because the problems I have encountered on Target.com when using my screen reader have prevented me from making purchases, I have decided to avoid their website as well as their physical locations and I have instead shopped elsewhere.

22. 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 foregoing is true and correct.

Executed this April day of \_\_\_\_, 2006, at Reseda, California.

\_\_\_\_\_  
ROBERT STIGILE

United States of America that the  
forgoing is true and correct.

Executed this April day of , 2006, at Reseda,  
California.

*Robert Stigle* *april 24 2006* Robert