

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL FEDERATION OF THE
BLIND, THE NATIONAL FEDERATION

OF THE BLIND OF CALIFORNIA,
on behalf of their members,
and BRUCE SEXTON, on behalf
of himself and all others
similarly situated,

Plaintiffs,

vs.

Case No.

C06-01802 MHP

TARGET CORPORATION,

Defendant.

_____ /

Deposition of:

BERNADETTE JACOBS

June 19, 2007

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Reported By:

Nancy P. Richmond, RPR

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3 TUESDAY, JUNE 19, 2007

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1 BE IT REMEMBERED that, pursuant to the laws
2 governing the taking and use of depositions, and
3 on Tuesday, June 19, 2007, commencing at 1:03
4 p.m., thereof, at the Law Offices of Brown,
5 Goldstein & Levy, 120 E. Baltimore Street, Suite
6 1700, Baltimore, Maryland 21202, before me, Nancy
7 P. Richmond, Registered Professional Reporter and
8 Notary Public for the State of Maryland,
9 personally appeared,
10 ---
11

12 BERNADETTE JACOBS

13 a witness, called for examination, having been
14 first duly sworn, was examined and testified as
15 follows:

16 EXAMINATION BY MR. KLESTOFF:

17 Q. Mrs. Jacobs, my name is Alexei Klestoff,
18 and I'm from the law firm of Morrison & Foerster,
19 and we represent Target Corporation in this
20 matter.

21 A. Okay.

22 Q. Can you please state your name for the
23 record?

24 A. My name is Bernadette Mary Jacobs.

25 Q. I'm just going to go over a little bit

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1 of the procedure for the deposition. Your
2 testimony is under oath today, as if you were
3 giving testimony in court.

4 A. Hm-hmm.

5 Q. And I'm just going to ask you questions,
6 and you answer them to the best of your ability.
7 And if there are any questions that are unclear,
8 feel free to let me know. If you're tired and
9 need a break, let me know. I just ask that, if
10 there's a question pending when you want to take a
11 break, that we finish the answer, and then we'll
12 go ahead and take a break.

13 Is there any reason you couldn't testify
14 fully and truthfully today?

15 A. No, sir.

16 Q. Have you ever been deposed before?

17 A. No.

18 Q. What did you do to prepare for the
19 deposition today?

20 A. Back at the end of May, Meghan and I had
21 went and gone through our declaration. And then
22 yesterday, of course, I came in and we had a
23 counsel meeting.

24 Q. Did you review any documents?

25 A. Yes.

1 Q. What documents were they?
 2 A. The declaration.
 3 Q. Anything else?
 4 A. No.
 5 MR. KLESTOFF: Okay. I'm going to mark
 6 your declaration as Jacobs Exhibit 1.
 7 (Thereupon, Jacobs Exhibit Number 1 was
 8 marked.)
 9 Q. I think what I'll do is, I'll just read
 10 portions of your declaration. And if your counsel
 11 has any problem with my reading skills or
 12 representations, he'll let me know.
 13 In paragraph six, it says that you are
 14 legally blind. What does that mean to you?
 15 A. Legally blind to me means anything under
 16 20 - 20/70, I believe it is.
 17 Q. Does that represent - is that an
 18 accurate description of your -
 19 A. My blindness?
 20 Q. - your blindness?
 21 A. Yes. Actually, the accurate
 22 description, I am totally blind, yes.
 23 Q. Will you just give me a brief rundown of
 24 your educational background?
 25 A. I graduated from high school at the

1 From April of 2000 through December of
 2 2003, I worked as a receptionist for a company
 3 called Bolton Partners, Incorporated. Then, in
 4 March of 2004, I was hired on at Blind Industries
 5 & Services of Maryland, otherwise known as BISM.
 6 I worked there as the rehab
 7 receptionist. Primarily my job was with the
 8 rehabilitation department.
 9 And then I was laid off now just back in
 10 November of 2006 due to budget cuts. So at this
 11 point I am currently unemployed, looking for
 12 employment.
 13 Q. All right. And in paragraph six it also
 14 says that you use screen access software to access
 15 the Internet. What type of screen access software
 16 do you use?
 17 A. JAWS.
 18 Q. Do you know what version?
 19 A. I have 8.1.
 20 Q. Have you used any other versions in the
 21 past?
 22 A. Yes. Years ago my husband and I, I
 23 think -- and I don't remember what year. But,
 24 anyway, years ago my husband and I actually
 25 purchased the JAWS Office Pro, because we had the

1 School for the Blind in Janesville. After high
 2 school, I went on to Wausau Area Technical College
 3 in Wausau, Wisconsin, where I received an
 4 associate degree as a medical secretary.
 5 And that was in May of '79, I received
 6 the degree, graduated. Then, that's basically my
 7 education.
 8 Q. And can you give me a brief rundown of
 9 your employment history?
 10 A. Yes. After graduating in '79, in 1980 I
 11 served a three-month internship at the National
 12 Federation of the Blind on Johnson Street. That
 13 was from May through August of 1980.
 14 Then, in October of 1980, I became
 15 employed by the State of Wisconsin Community
 16 Corrections, where I was a typist/receptionist 2.
 17 I worked for the State of Wisconsin for some five
 18 years, till March of '85, I believe.
 19 In '85, then I actually started my own
 20 business in privatized child care. I actually did
 21 that for about not quite 15 years, maybe -- I
 22 guess it was about 14 years, excuse me.
 23 And in 1999, I came up here for a
 24 workshop, after which I was married to my husband,
 25 met him out here. I moved out here in 2000.

1 Microsoft -- the Windows Office Suites. I believe
 2 it was Windows 2000 or something.
 3 So I had the Office version, and I've
 4 actually used JAWS since about 1997, when I was
 5 trained on it. So I've actually been using the
 6 versions, I don't know -- did it start out with 5?
 7 I can't remember, but I do know that I have
 8 upgraded every one since, because my husband and I
 9 paid for a yearly upgrade.
 10 Q. And has JAWS improved over time?
 11 A. Oh, very definitely.
 12 Q. And in what ways has it improved?
 13 A. Oh, did -- when I first started, it
 14 didn't read any kind of spreadsheets. When I
 15 actually -- in the last several years now,
 16 probably five years, maybe, I have actually used
 17 it to design my own database for different things.
 18 Q. How would you describe your skill level
 19 at using JAWS?
 20 A. I consider myself to be an expert.
 21 Q. And you said in -- you were trained on
 22 JAWS in 1997?
 23 A. Yes.
 24 Q. Where was that?
 25 A. That was back in Wisconsin.

1 Q. And who trained you?
 2 A. Actually, my beginning training, it was
 3 kind of a self-taught thing. I was handed a bunch
 4 of tapes by somebody in rehab, and they sat me in
 5 front of a computer in a classroom and said,
 6 "Well, you know, we don't know much about JAWS,
 7 but you can learn it from these tapes."
 8 So, my first, you know, it was kind of
 9 self-taught, and then...
 10 Q. Have you had any other formal training?
 11 A. Yes. Yes, I did. I actually flew out
 12 here again in January of 1999, when I met my
 13 husband, and I flew out here for a two-week
 14 workshop for advanced computer skills and resume
 15 writing.
 16 Q. And in your use of JAWS, have you found
 17 that some websites are easier to use than others?
 18 A. Oh, most definitely.
 19 Q. Can you give me an example -- strike
 20 that. Have you ever had any problems using JAWS?
 21 A. Using JAWS? I wouldn't say using JAWS,
 22 particularly. No, not really.
 23 Q. Okay. Do you use any other screen
 24 access software?
 25 A. No.

1 A. Nothing comes to mind offhand.
 2 Q. You have mentioned the term
 3 "pre-shopping." Can you define "pre-shopping" for
 4 me?
 5 A. Well, oftentimes I like to get online
 6 and see actually what is in a store before I go
 7 buy it.
 8 Q. And by see what's in the store --
 9 A. Comparing pricing, I do that.
 10 MR. GOLDSTEIN: Let him finish the
 11 question next time, Ms. Jacobs.
 12 THE WITNESS: I'm sorry.
 13 A. Sorry.
 14 Q. That's okay. In paragraph seven of your
 15 declaration, you say you use the Internet to shop
 16 all the time. How often do you use the Internet
 17 to shop?
 18 MR. GOLDSTEIN: Meaning whether
 19 pre-shopping or shopping?
 20 MR. KLESTOFF: Shopping, in general.
 21 MR. GOLDSTEIN: Okay.
 22 A. Probably pretty close to a weekly basis
 23 I'm shopping for something.
 24 Q. And you mentioned that you do online
 25 shopping.

1 Q. How long have you been using the
 2 Internet?
 3 A. I believe since '97, when I was actually
 4 trained.
 5 Q. And how often do you use the Internet?
 6 A. I use it on a daily basis.
 7 Q. What types of things do you use Internet
 8 for?
 9 A. I use it for -- there are a couple of
 10 stores that I shop online for the sole purpose of
 11 deliveries, and I use it for pre-shopping to find
 12 out what's in stores. I use it for job -- you
 13 know, job searching, because, of course, I'm
 14 unemployed.
 15 So I use it -- I use Career Builder
 16 every day. I check the e-mails and go through
 17 that stuff, apply for jobs. I also use it to do
 18 research.
 19 If I want to find a recipe for
 20 something, I use it for that. I guess that's
 21 primarily what I use it for. But I am on the
 22 Internet on a daily basis every night.
 23 Q. Aside from the things that you just
 24 mentioned, is there anything else that you use
 25 Internet for?

1 A. I do.
 2 Q. And how often do you do that?
 3 A. Online shopping, I might do that on a --
 4 either, I would say, at least on a biweekly basis.
 5 MR. GOLDSTEIN: Could we get a
 6 clarification? Some people use biweekly to
 7 mean every other week, and some people use it
 8 to mean twice a week. Could we find out
 9 which way this witness uses it?
 10 MR. KLESTOFF: I'd be happy to find it
 11 out.
 12 A. I'd say, yeah, I guess maybe I did use
 13 the wrong term.
 14 MR. GOLDSTEIN: I didn't say that. It's
 15 just that people use that term both ways.
 16 A. Well, okay. I do get -- I may not buy
 17 things twice a week, but I'm usually on somewhere
 18 at least twice a week, probably.
 19 Q. How often --
 20 MR. GOLDSTEIN: Also, we will agree,
 21 will we not, that we're sealing this
 22 transcript from her husband?
 23 Q. How often do you buy things online?
 24 A. I would say at least once a month I buy
 25 at least one item from somewhere.

1 Q. What types of websites do you make
 2 online purchases from?
 3 A. That's a little unclear. In other
 4 words, do you want to know what websites or
 5 what --
 6 Q. Websites would be fine.
 7 A. Okay. I do a lot of shopping at
 8 Catherine's for clothing, because they have plus
 9 sizes and clothes that fit me better, and their
 10 prices are reasonable. Catherine's is probably my
 11 favorite website.
 12 I sometimes will buy things on Amazon.
 13 Sometimes on QVC.com, drugstore.com. I buy my
 14 glucose on drugstore.com, because it's cheaper. I
 15 can buy it cheaper. I have been on Walmart.com.
 16 I think that's primarily it. I can't think of any
 17 others offhand.
 18 Q. There aren't any other websites you can
 19 remember?
 20 A. Actually, I'm sorry. I have -- I
 21 actually have purchased a couple of things at
 22 NFB.org. But I actually pre-shop online with
 23 them, and then call the NFB, the National
 24 Federation of the Blind, and since my husband
 25 works there, I just ask him to bring it home.

1 Q. How often?
 2 A. Well, I would say probably at least on a
 3 weekly basis I'm looking to see about sales.
 4 Q. Is that with the specific intent to go
 5 to the store and purchase something, or are you
 6 just browsing?
 7 A. Oh, if it's on sale, I want to purchase
 8 it usually. But if it's not, then I don't. Or I
 9 look; if they don't have something I want at the
 10 time, then that's it. I don't worry about it.
 11 Q. So it's not always the case that you log
 12 onto the site with the specific intent of buying
 13 something?
 14 A. No.
 15 Q. And when you pre-shop at Catherine's,
 16 are you able to find everything you want at the
 17 store?
 18 A. Most of the time.
 19 Q. And you say most of the time. There are
 20 sometimes when you're able to find the particular
 21 item in the store?
 22 A. Oh, yeah.
 23 Q. Do you know why that is?
 24 A. Sometimes they don't -- in the stores
 25 they don't always carry the size that I need.

1 Q. Have you had any problems pre-shopping
 2 at NFB.org?
 3 A. Oh, no, never.
 4 MR. GOLDSTEIN: Sorry.
 5 MR. KLESTOFF: I thought I'd ask.
 6 Q. Is that all? Is that -- all the
 7 websites that you gave me are all that you can
 8 remember?
 9 A. All that I can remember offhand.
 10 Q. Okay. And you say Catherine's is your
 11 favorite website?
 12 A. Hm-hmm.
 13 Q. How often do you make online purchases
 14 from Catherine's?
 15 A. I'd say probably maybe once every two to
 16 three months or something, if I want a dress or
 17 something. That's where I buy most of my dresses.
 18 My stockings are bought there.
 19 Q. Have you ever had any problems accessing
 20 Catherine's?
 21 A. Oh, no, hm-hm.
 22 Q. Any problems with navigating the site?
 23 A. No.
 24 Q. And do you ever pre-shop at Catherine's?
 25 A. Yes. I do.

1 Sometimes in the store they have run out of a
 2 color that I would like or the size.
 3 Oftentimes, online -- and this is not
 4 just true of Catherine's, but many websites --
 5 they actually have a wider variety of merchandise
 6 online as opposed to what's in the stores. They
 7 don't carry everything in the stores that's
 8 online. Many of them don't.
 9 Q. Do you know if that's the case with
 10 Target?
 11 A. I haven't been able to decipher that.
 12 Q. Okay. And so you said you also shop on
 13 Amazon.
 14 A. I have, yes.
 15 Q. Have you had any problems with Amazon?
 16 A. Sometimes, but not very often. I
 17 don't -- Amazon's probably one of the less common
 18 sites that I get onto.
 19 Q. What types of problems have you
 20 experienced on Amazon?
 21 A. Oh, sometimes they show a lot of -- they
 22 have a lot of graphics on their website, too. And
 23 oftentimes when I might be looking for a
 24 particular thing, I never find it, because when I
 25 plug into the links, thinking that it might be a

1 link that I want, it sends me on a wild goose
 2 chase. So I -- if I run out of time, then I just
 3 get off the site.
 4 Q. And what percentage of the time do you
 5 have problems, generally?
 6 MR. GOLDSTEIN: With Amazon?
 7 MR. KLESTOFF: With Amazon.
 8 A. With Amazon? Okay. I have actually
 9 been on Amazon four different times, and I have
 10 probably had problems with it maybe once out of
 11 the four times.
 12 Q. And were you able to make purchases all
 13 four times or not?
 14 A. Well, actually, twice I made purchases.
 15 I actually bought a bottle of perfume and a book.
 16 Q. And were you able to make a purchase the
 17 time that you had problems?
 18 A. No.
 19 Q. And what about that fourth time, where
 20 you didn't have problems?
 21 A. I just ran out of time, so it was a
 22 matter of, I had to get off the site, and I
 23 couldn't find what I wanted, and I just gave it up
 24 and did something else that I don't even remember
 25 what it was. But I just -- it was primarily that

1 that site, some of them can be pretty difficult.
 2 When you think you're into one website, it might
 3 throw you into another department, and you can't
 4 find what you want.
 5 So I usually know what I want on
 6 drugstore, and now I've been able to figure out
 7 where to find the few things that I do buy on
 8 there.
 9 Q. So is it fair to say, after using it a
 10 couple times, you've learned how to buy what you
 11 want from drugstore.com?
 12 A. Hm-hmm.
 13 Q. How about Walmart.com, have you had any
 14 problems there?
 15 A. I have actually only been on there three
 16 times, but it's not -- I've had some difficulty,
 17 yes.
 18 Q. What types of difficulty?
 19 A. Just trying to find the departments
 20 that -- the clothing in the department or whatever
 21 that I want that's on sale.
 22 Q. And what specifically is the problem?
 23 A. Just kind of wading through all the
 24 graphics and images.
 25 Q. Were you able to make any purchases any

1 I ran out of time.
 2 Q. Actually, one more question about
 3 Catherine's. Have you ever purchased something in
 4 the store without going to the Catherine's website
 5 first?
 6 A. No.
 7 Q. Never?
 8 A. Hm-hm. Not that I remember.
 9 Q. Let's see. And you mentioned QVC.com.
 10 Have you had any problems accessing that site?
 11 A. No.
 12 Q. And what types of things do you purchase
 13 on QVC.com?
 14 A. I actually two weeks ago just bought a
 15 drain cleaner, very nice one.
 16 Q. And then what about drugstore.com? Have
 17 you had any problems accessing that website?
 18 A. That -- yeah, that one is a little
 19 harder. That's a little more difficult,
 20 drugstore.com.
 21 Q. Why is that harder?
 22 A. Just because there are so many
 23 different -- they sell almost everything on there,
 24 from aspirin to Tums to diabetic supplies; and to
 25 try to decipher some of the different links on

1 of the times that you visited there?
 2 A. Once.
 3 Q. And what did you purchase that one time?
 4 A. Actually, something kind of personal,
 5 underwear.
 6 Q. All right. And the other two times,
 7 what was the specific -- well, let's talk about --
 8 let's split them up.
 9 A. Okay.
 10 Q. What were the specific problems that you
 11 experienced the first time you accessed Wal-Mart
 12 and experienced problems?
 13 A. I can't remember what I experienced from
 14 one time to the next, because, like I say, I've
 15 only been on that site three times, so I can't
 16 remember the details of it.
 17 Q. Was it a problem with the links, or was
 18 it a problem with checking out or something else?
 19 A. Trying to wade through the link and the
 20 different departments, as I recall, to the best of
 21 my ability.
 22 Q. And then in your declaration you also
 23 mentioned that you shop at Circuit City?
 24 A. I do.
 25 Q. How often do you shop at Circuit City?

1 A. Probably, oh, it might be once every
 2 three months I'm on there for something.
 3 Q. And that's on the website?
 4 A. Yes, hm-hmm.
 5 Q. And is that for online purchases?
 6 A. Actually, no. Only once did I actually
 7 buy something from them online.
 8 Q. And the other times that you've accessed
 9 Circuit City, were you doing pre-shopping?
 10 A. I actually did, yes.
 11 Q. Did you ultimately make a purchase from
 12 Circuit City?
 13 A. Yes, the one online? Excuse me.
 14 Q. Aside from the one online.
 15 A. Yes, hm-hmm.
 16 Q. So you had no problems buying what you
 17 wanted at the store?
 18 A. Hm-hm, no.
 19 Q. What types of things do you buy at
 20 Circuit City?
 21 A. I bought a splitter once, and I actually
 22 looked for it online, found it and purchased it in
 23 the store. And I purchased these for my husband.
 24 Telephone cords, that was one of the things. A
 25 printer cable. Now, are you saying at the store?

1 Q. So let's move on to Target.
 2 A. Okay.
 3 Q. You say you shop at Target about once a
 4 month.
 5 A. Yes.
 6 Q. What's your general experience at
 7 Target?
 8 MR. GOLDSTEIN: Talking about the store?
 9 MR. KLESTOFF: About the store.
 10 A. In the store, when I walk in there?
 11 Q. Hm-hmm.
 12 A. I actually have a hard time finding a
 13 clerk or somebody to help me find something in the
 14 store.
 15 Q. Okay.
 16 A. Seems like there's nobody around.
 17 Q. Do you ultimately find a clerk or --
 18 A. Not always. I have gone there a couple
 19 of times and not found anybody. So when we didn't
 20 find anybody and we didn't find what we wanted, we
 21 walked out.
 22 Q. You say "we." Who was with you at the
 23 time?
 24 A. My husband.
 25 Q. And is your husband sighted?

1 Q. At the store, yes.
 2 A. Yeah, that was it.
 3 Q. Why did you decide to purchase those
 4 items in the store as opposed to online?
 5 A. Because they were there. They were at
 6 the store.
 7 Q. Okay. You said you pre-shopped for
 8 those items, correct?
 9 A. I did, because I wanted to compare
 10 prices.
 11 Q. And then, once you found the item that
 12 you wanted, why did you decide to go to the store
 13 instead of ordering them online?
 14 A. We happened to be shopping at other
 15 places, and we picked them up on the way.
 16 Q. And how often do you pre-shop at Circuit
 17 City?
 18 A. I have probably done it twice in the
 19 last six months.
 20 Q. How many times have you shopped at
 21 Circuit City, whether online or in the store?
 22 A. I don't remember exactly how many.
 23 Q. Was it more than five?
 24 A. If it was, it wasn't many more than
 25 five. It might have been five.

1 A. Yes.
 2 Q. And what was the particular reason you
 3 decided to leave the store and not purchase
 4 anything on those occasions?
 5 A. Well, because we couldn't find what we
 6 wanted in the size that I wanted, and we couldn't
 7 find anyone to help us.
 8 Q. Okay. Do you ever pre-shop before you
 9 go to the Target store?
 10 A. I did once.
 11 Q. What were you looking for?
 12 A. Actually, that was the day that I got on
 13 line at Target.com to look for a gift for some
 14 friends of ours who were adopting a little boy
 15 from India. And they were leaving in two days,
 16 but I wanted to go and look online to see what
 17 they had, what size, so that I could go to the
 18 store quickly, get what I wanted, and take it to
 19 the church with all the other gifts.
 20 Q. You said you tried to access the gift
 21 registry, correct?
 22 A. I tried.
 23 Q. And was that the first time you used
 24 Target's registry?
 25 A. Hm-hmm.

1 Q. And do you remember when that was?
 2 A. I don't remember the day. I know that
 3 it was a Tuesday, because my friends were leaving
 4 on Thursday.
 5 Q. And I think in your declaration you said
 6 it was --
 7 A. It was in March.
 8 Q. -- in March of this year?
 9 A. Yes, correct.
 10 Q. And how did you access -- how did you
 11 access the website?
 12 A. I directly -- I typed directly into
 13 www.Target.com.
 14 Q. And were you -- I'm sorry. Were you
 15 going to add something?
 16 A. No, no. That's all right.
 17 Q. Where were you when you accessed the
 18 website?
 19 A. What do you mean, where was I?
 20 Q. Were you at home?
 21 A. Yes, hm-hmm. I was down in the
 22 basement.
 23 Q. And what -- and you were using JAWS?
 24 A. Yes.
 25 Q. Do you remember what version it was?

1 three hours.
 2 Q. Okay. And then I think in your
 3 declaration, you said you decided to try to search
 4 for infant and toddler sleepers on the general
 5 Target.com website?
 6 A. Correct, hm-hmm.
 7 Q. And then it says -- then you basically
 8 say that you had problems doing the search; is
 9 that correct?
 10 A. Yeah.
 11 Q. What specific problems did you have?
 12 A. I did not actually find infants and
 13 toddlers, per se, but what I found was baby. So I
 14 linked into that.
 15 And as I recall, most of what I heard
 16 was image, image, image, image, and then I would
 17 hear a series of numbers, and then I would hear --
 18 sometimes I would catch a number and then a fleece
 19 and then a number.
 20 But nothing definite by size or -- no,
 21 I'm not sure if -- I don't recall if -- about the
 22 prices, but I couldn't find anything by size.
 23 I knew what size I needed, but there was
 24 so many images and graphic things to wade through
 25 and numbers that I simply gave up out of

1 A. It was seven. I think it was just
 2 before I got 8.1, because I get upgrades in the
 3 mail on disc, so I can't remember exactly -- I
 4 can't remember the last number. It was seven
 5 point something, but I don't remember the number.
 6 Q. Is it accurate to say that it was the
 7 last seven point version before the eight point
 8 version came out?
 9 A. Yeah, I believe so.
 10 Q. And you say you weren't able to access
 11 the registry. Can you give me a little bit more
 12 specifics as to how you weren't able to access it?
 13 A. When I got onto the Target.com,
 14 immediately the home page came up, like it always
 15 does. And I couldn't -- I kept arrowing down or
 16 scrolling down through the links, and I could
 17 never find it.
 18 I found gift finder, but I couldn't find
 19 any link that said something about registering. I
 20 kept going around and around and around, like the
 21 scroll.
 22 And I could never find what I wanted, to
 23 get into the gift registry simply by arrowing.
 24 Q. How many times did you try that?
 25 A. Well, I was on that website for almost

1 frustration. I called my husband, and I said I
 2 can't find it.
 3 Q. Did you try using the search function
 4 on --
 5 A. Yes, I did.
 6 Q. And did that work for you?
 7 A. No. I kept -- every time I would plug
 8 in something -- I actually tried to type in their
 9 name, to see if I could find something, you know,
 10 for the gift registry, and it actually came up
 11 with zero results.
 12 Q. What other things did you search for,
 13 what terms, specifically?
 14 A. Sleepwear was what I wanted that
 15 particular day.
 16 Q. Did you try entering terms such as
 17 "infant and toddler sleepers"?
 18 A. Hm-hmm.
 19 Q. You did? Did that work for you?
 20 A. I don't remember the results that it
 21 gave me, but I do know that I wasn't satisfied
 22 with what I found.
 23 Q. Okay. Were you able to access any
 24 product information on the site at all that day?
 25 MR. GOLDSTEIN: Let me just get a

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1 clarification. On any given product, all the
 2 information or partial information about any
 3 product?
 4 MR. KLESTOFF: Any product information
 5 at all.
 6 A. A lot of it was very hard to decipher.
 7 It was kind of bits and pieces of things. I had
 8 more trouble deciphering things. Because I wasn't
 9 sure and it wasn't clear to me, I just gave it up.
 10 Q. And by deciphering things, do you mean
 11 you just couldn't understand the term that was
 12 being read out?
 13 A. No. It wasn't that at all. All I was
 14 hearing was image and numbers.
 15 Q. Okay.
 16 A. And maybe an occasional -- what type of
 17 material, cotton, fleece, you know, that kind of
 18 thing.
 19 Q. Did you call Target for help with the
 20 site that day?
 21 A. No, I did not.
 22 Q. Did you e-mail Target for help with the
 23 site that day?
 24 A. No, I didn't.
 25 Q. Did you try calling JAWS's I.T. people

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1 or their help support line for help that day?
 2 A. No. I truly didn't believe it was a
 3 JAWS thing.
 4 Q. Did you try calling Target's 800 number
 5 to access the gift registry?
 6 A. To be perfectly honest, I couldn't find
 7 it.
 8 Q. Did you ultimately go to Target to look
 9 at the gift registry that day?
 10 A. No, I did not.
 11 Q. And you say you ultimately gave your
 12 acquaintance a gift card, correct?
 13 A. Correct.
 14 Q. And your husband picked it up?
 15 A. He did.
 16 Q. Okay. Why did your husband get the gift
 17 card instead of you?
 18 A. Because I was out of town.
 19 Q. Okay. So who was -- who was ultimately
 20 going to pick up -- when you accessed Target's
 21 website that day, who was going to pick up the
 22 gift at Target, you or your husband?
 23 A. Both of us had planned to pick it up
 24 after church on a Wednesday night.
 25 Q. What day were you out of town?

Page 32

1 A. Actually, it was Wednesday, but I was
 2 coming back later Wednesday, in time for church.
 3 Q. Okay. And why did you choose to give
 4 your acquaintance a gift card rather than an item
 5 from their registry?
 6 A. Well, because it actually just so
 7 happened that at the last minute we decided that
 8 church wasn't a good plan because of the events of
 9 the day, so we decided not go to church. And
 10 Safeway is actually closer to our home, and my
 11 husband simply picked up the gift card from
 12 Safeway.
 13 Q. Have you ever bought a gift card at a
 14 Target store?
 15 A. Hm-hm.
 16 Q. Have you ever bought a gift card at
 17 Target's website?
 18 A. No.
 19 Q. And you say you pre-shopped at Target
 20 one time; is that correct?
 21 A. Just that particular day, yes.
 22 Q. Okay. Since your experience with
 23 Target.com's gift registry, have you been to
 24 Target?
 25 A. Yesterday.

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1 Q. Yesterday. Were you able to find what
 2 you were looking for?
 3 A. No.
 4 Q. Why not?
 5 A. Well, because no matter what link I
 6 plugged into, I was on a wild goose chase. I
 7 never did find it.
 8 Q. So you were on Target.com yesterday?
 9 A. Yes, I was, and I still never found the
 10 sleepwear that I've been looking for originally,
 11 because I went back to see if I could find it.
 12 Q. So my original question was, have you
 13 been to the Target store --
 14 A. Yes.
 15 Q. -- since --
 16 A. Oh, I -- to the store or online?
 17 Q. To the store, between today and March of
 18 this year.
 19 MR. GOLDSTEIN: The other way around,
 20 between March of this year and today.
 21 MR. KLESTOFF: Yes.
 22 A. Between March of this year and today,
 23 yes, twice.
 24 Q. And were you able to find what you were
 25 looking for at the store?

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1 A. My husband and I were together. And,
 2 yes, we found what we were looking for at the
 3 store.
 4 Q. And you say you accessed Target.com
 5 yesterday, correct?
 6 A. Yes, hm-hmm.
 7 Q. And you experienced problems?
 8 A. Yes.
 9 Q. What specific problems?
 10 A. No matter what link I went to, I still
 11 never found what I originally set out to find,
 12 still never found the sleepwear.
 13 Q. So what was the specific problems with
 14 the link, with the links?
 15 A. I never heard -- I'm trying to think how
 16 to phrase this it. I never -- I didn't -- the
 17 screen reader, JAWS, did not read everything that
 18 was on the screen. And sometimes it won't if
 19 there's a lot of graphics or a lot of numbers or a
 20 lot of -- sometimes colors can be a problem for
 21 JAWS.
 22 So I wasn't sure exactly what the
 23 problem was, but I never did find the sleepwear
 24 that I originally set out to find.
 25 Q. So let's do step by step. You logged

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1 onto Target.com?
 2 A. Correct.
 3 Q. And then what did you do?
 4 A. Well, I got to the home page, and, of
 5 course, the first thing I did was I went back
 6 through the steps that I had originally done in
 7 March, just to see what had changed and what
 8 hadn't.
 9 I did find that there was more text, but
 10 I did not -- the only thing I could find -- I
 11 never heard registry, never. The only thing I
 12 heard was gift finder.
 13 Q. Okay.
 14 A. I tried to plug in even into that, and
 15 it didn't -- it just showed all kinds of, oh,
 16 clearance, and it mentioned all kinds of things
 17 that they had clearance or, you know, women's,
 18 men's, boys', baby, that kind of thing.
 19 But then, since I never heard after the
 20 gift finder how to register, I again decided to go
 21 back through the items at large. So I went back
 22 to the items at large and plugged into baby,
 23 because it did not say infants and toddlers. It
 24 said baby.
 25 So I plugged into baby and scrolled down

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1 through those items. And again I was confronted
 2 with a lot of image link, image map link, image
 3 map link and a bunch of abbreviations that I
 4 couldn't understand.
 5 And then I found a bunch of numbers.
 6 And on the next line below the numbers it said,
 7 \$14 -- or \$16, I'm sorry. But because I didn't
 8 know what the numbers meant and that was all I
 9 could find, I just gave it up because I still
 10 never found what I wanted.
 11 Q. Did you try the search function on
 12 Target's --
 13 A. I did, and it actually put -- sent me
 14 back to the weird numbers and the \$16.
 15 Q. What specific terms did you search for?
 16 A. I wanted -- I tried to find sleepwear
 17 or -- let me think what were the other terms I
 18 used, because I typed in something. I think it
 19 was sleepwear. I believe it was.
 20 Q. Was that the only term?
 21 A. Yes, hm-hmm.
 22 Q. And did you try calling Target.com's
 23 help line?
 24 A. Yesterday?
 25 Q. Yesterday.

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1 A. No.
 2 Q. Did you try e-mailing Target.com's help
 3 people?
 4 A. No. As a matter of fact, as I scrolled
 5 down through, it did not tell me anything about
 6 e-mail. I had no idea.
 7 Q. Did you try to contact your JAWS's tech
 8 support people?
 9 A. No.
 10 Q. And were you planning on making a
 11 purchase that day?
 12 A. No.
 13 Q. Aside from yesterday and the time you
 14 tried to access the gift registry, can you tell
 15 me, about how many other times have you accessed
 16 Target.com?
 17 A. I haven't. Those are the only two
 18 times, yesterday and that one day in March, and I
 19 had spent on there for three hours.
 20 Q. Prior to that, you had never accessed
 21 Target.com?
 22 A. No.
 23 Q. And you say you've been to the store --
 24 between March 2007 and today, you've been to the
 25 store two times?

1 A. Correct.
 2 Q. And I don't remember if I asked you this
 3 already, but were you able to find what you were
 4 looking for at the store?
 5 MR. GOLDSTEIN: Asked and answered.
 6 A. Yes. You did ask, yes, hm-hmm.
 7 Q. Have you ever tried to use Target's gift
 8 registry at the store?
 9 A. No, and the reason being that it's not
 10 possible for a blind person to independently do
 11 that.
 12 Q. Is it possible in your opinion to do
 13 that with assistance from someone at the Target
 14 store?
 15 A. If they're willing to assist, and that's
 16 not always the case. Sometimes they don't have
 17 time. Other times I simply don't think they
 18 always want to.
 19 Q. Okay.
 20 A. And I guess, if I want to be truthful, I
 21 actually feel better when I can do something like
 22 that independently. Because if I want to do
 23 something personal, I don't always want to be
 24 asking people, "Oh, jeez. I need this kind of
 25 size in this kind of clothing" that I might not

1 yourself?
 2 A. Alone? No, not -- not here. I used to
 3 shop all the time in Target in Wisconsin alone.
 4 Q. Did you have any problems at the Target
 5 in Wisconsin?
 6 A. Most of them, no, as I recall. But that
 7 was before I could go online, so, you know.
 8 Q. When was that? When were you in
 9 Wisconsin?
 10 A. Oh, my. I was born and raised in
 11 Wisconsin. I never came out here till 1999 for --
 12 you know, moved out here, so...
 13 Q. Let's move on to another topic. How did
 14 you learn about this lawsuit?
 15 A. Actually, through the National
 16 Federation of the Blind. I read the monthly
 17 magazine, the "Braille Monitor." I actually --
 18 when the lawsuit started, the people that talked
 19 to me about it were friends of mine.
 20 Q. Okay.
 21 A. So I actually found out through some of
 22 them. And, of course, you know, all the -- Dan
 23 has come, you know, and given presentations at,
 24 you know, chapter meetings and different things.
 25 So it's not like it's any secret.

1 want them to know about.
 2 Q. So just to be clear, you've never tried
 3 to use the registry at the store?
 4 A. Oh, no.
 5 Q. What did you buy last time you shopped
 6 at Target, at the store?
 7 A. Swimmies. They are little pull-ups that
 8 you use on a child when they go swimming in a pool
 9 or whatever. They're supposed to be, you know,
 10 for protection.
 11 Q. Right. And you were able to -- did you
 12 ask for assistance buying the Swimmies?
 13 A. No. Actually, again, I was with my
 14 husband. We stopped there after church, and we
 15 all went in, because it was a couple of weeks ago,
 16 another day when it was very, very hot, and we
 17 didn't want to stay in the van.
 18 So we all went in, and we found -- my
 19 husband, I should say, found them almost
 20 immediately, 'cause he knew which section to go
 21 to.
 22 Q. Is it generally the case that you and
 23 your husband go to Target together?
 24 A. Yes.
 25 Q. Have you ever been to Target by

1 Q. And how did you come to provide a
 2 declaration in this lawsuit?
 3 MR. GOLDSTEIN: You can state the route
 4 or method, but to the extent that there's an
 5 issue as to the substance of any
 6 communications with counsel, you're not to
 7 get into those at all.
 8 THE WITNESS: Okay.
 9 A. I simply stepped up and volunteered when
 10 it was asked for volunteers.
 11 Q. Who asked for volunteers?
 12 A. Dr. Maurer, the president of the
 13 National Federation of the Blind.
 14 Q. When was that?
 15 A. Sometime in May of '07, I believe. I
 16 can't remember the exact date.
 17 Q. And where was that?
 18 A. Right at the center, in Dr. Maurer's
 19 office.
 20 Q. That's the National Federation of the
 21 Blind Center?
 22 A. Correct.
 23 Q. Where is that located?
 24 A. 1800 Johnson Street, Baltimore,
 25 Maryland.

1 Q. And was it just you and Dr. Maurer, or
 2 was it --
 3 A. Oh, no. No, no. There were many of us,
 4 but it was a room full of blind folks.
 5 Q. Was this a formal meeting?
 6 A. I don't know that it was formal. He
 7 specifically asked for all blind folks in the
 8 center to report to his office at 8:00 o'clock in
 9 the morning.
 10 Q. Did he say why?
 11 A. No. Of course not. He paged everyone.
 12 And once we go into his office, then, of course,
 13 the meeting continued.
 14 Q. Was the meeting strictly limited to
 15 seeking --
 16 MR. GOLDSTEIN: I'm going to have to
 17 instruct her on the grounds of
 18 attorney-client privilege not to answer what
 19 took place at that meeting, since I was
 20 present.
 21 A. Okay.
 22 Q. So you're going to follow your
 23 attorney's advice?
 24 A. Of course.
 25 Q. Okay. Let's see. When was the first

1 anything else?
 2 THE WITNESS: Okay.
 3 (Recess taken -- 2:00 p.m.)
 4 (After recess -- 2:10 p.m.)
 5 Q. I just want to go back to that last time
 6 that you -- when you accessed Target.com.
 7 A. Yesterday?
 8 Q. Yes. And I just want to make sure I've
 9 got everything that happened yesterday.
 10 A. Okay.
 11 Q. So you logged onto the site, and it's my
 12 understanding that there's a function on JAWS that
 13 will list the links on the page; is that correct?
 14 A. Yes. Yes, you simply arrow up and use
 15 the arrow keys to scroll down.
 16 Q. And you did that, correct?
 17 A. Absolutely.
 18 Q. And then what happened?
 19 A. The only thing that I actually found was
 20 gift finder. But, to me, I didn't think it was
 21 registry. I never did find gift registry. I just
 22 found gift finder.
 23 Q. Was that the only link that you could
 24 find?
 25 A. Oh, no. There were all kinds of links,

1 contact you had with the attorneys in this
 2 lawsuit?
 3 A. Now, I'm a little bit --
 4 MR. GOLDSTEIN: About this lawsuit?
 5 A. About -- yeah, that's what I was going
 6 to say. About this suit or any other time?
 7 Q. No, about this suit.
 8 A. I don't recall, because all the -- I've
 9 heard so many things at different times that, you
 10 know, everything just kind of runs together. So I
 11 can't give you a truthful answer.
 12 Q. Was it this year?
 13 A. I can't even tell you that, because it's
 14 been some time. I don't remember. At least in
 15 the last year.
 16 Q. When was the first time -- without
 17 telling me the substance of the conversation, when
 18 was the first time you had a conversation with any
 19 of the lawyers in this suit?
 20 A. You mean about the suit?
 21 Q. Right.
 22 A. I believe it was that particular day of
 23 the meeting.
 24 MR. KLESTOFF: Okay. All right. Why
 25 don't we take a break, and I'll see if I have

1 but they -- they were nothing that I wanted,
 2 nothing that I knew.
 3 I also found a search link. It said
 4 "site search." And I scrolled down again another
 5 line, and it said "edit." So I pressed enter, and
 6 it said "forms mode on." When it says that --
 7 anyway, it said "forms mode on," which indicated
 8 to me that I could type in what I was searching
 9 for.
 10 So I did exactly that. I typed in --
 11 let me think. What did I type in? Oh dear, can I
 12 go back? Because when I -- actually, I found
 13 something called baby, okay?
 14 So I actually plugged in on baby, and
 15 they also had the site search, okay? So, again,
 16 went into the site search, pressed enter for forms
 17 mode on, and typed in the word "sleepwear." Okay?
 18 That page came up. And again I looked
 19 for the 12-month size, to see if I could find it.
 20 And, again, I was confronted with the image map
 21 link, image map link, image map link, image map
 22 link, image map link.
 23 Then I came again to numbers. Six zero
 24 zero zero, something or other, \$16. I remember
 25 exactly, \$16.

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1 Then I found something else that was a
 2 series -- it said six twelve dash zero zero,
 3 something or other. I can't remember all the
 4 numbers, but it was a whole series of numbers.
 5 Then I heard \$7.
 6 Q. Okay.
 7 A. But I still did not find anything that
 8 indicated to me sleepwear.
 9 Q. Okay.
 10 A. And at that point I didn't even hear
 11 whether it was one piece, cloth, fleece, cotton,
 12 any of it. It was mostly images and numbers.
 13 Q. Was there anything there that you were
 14 able to understand?
 15 A. Yes, \$16, \$7. I could understand
 16 prices, but I couldn't understand if it was a
 17 one-piece pajamas, you know, pajamas, if it was a
 18 two piece, if it was a onesy. Sometimes they call
 19 them onesy's. I had no idea.
 20 Q. And so, going back to when you were on
 21 Target's home page, you said you plugged into
 22 baby?
 23 A. Yes.
 24 Q. Does that mean -- does that mean you
 25 found a link that read out to you "baby"?

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1 A. Yes. It just said "baby," hm-hmm.
 2 Q. And then on the next page, you said you
 3 looked for 12-month size?
 4 A. Correct.
 5 Q. Was that, you were looking for a
 6 specific link that said 12-month size?
 7 A. Well, I actually wasn't sure if I would
 8 find the size first or the actual like sleepwear,
 9 because I actually found -- looked into, like,
 10 bedding. There was some kind of bedding sets.
 11 I didn't -- couldn't tell what they were
 12 all were. Something was a six-piece something. I
 13 didn't understand all of that.
 14 There were a lot of image map link,
 15 image map links again. And I would hear things
 16 like six piece or bedding, but I never did find my
 17 sleepwear, never.
 18 Q. Okay. And you also said that you went
 19 into the site search field, correct?
 20 A. Yes.
 21 Q. And I don't think you ever told me what
 22 terms you searched for.
 23 A. Actually, I thought I did at one point.
 24 Q. Let me --
 25 MR. GOLDSTEIN: She did.

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1 A. Yes.
 2 Q. It was -- oh, you're right. You
 3 searched for the term "sleepwear."
 4 A. Hm-hmm, yeah.
 5 MR. KLESTOFF: Okay. I think that's all
 6 I have. I appreciate your time.
 7 THE WITNESS: Thank you.
 8 MR. GOLDSTEIN: Thank you, Bernadette.
 9 And you have -- I neglected to say, you have
 10 the right to read and review your deposition
 11 transcript and, so long as do you it within
 12 30 days of receipt of the transcript, make
 13 such corrections as you deem appropriate.
 14 You can also waive that right. I advise
 15 you not to waive that right.
 16 THE WITNESS: Oh, no. I wouldn't think
 17 of it.
 18 MR. GOLDSTEIN: Although we do have a
 19 superb court reporter.
 20 THE WITNESS: Having said that --
 21 (Whereupon, the deposition was concluded
 22 at 2:20 o'clock p.m.)
 23 _____
 24
 25

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1 CERTIFICATE
 2
 3 STATE OF MARYLAND)
 4 COUNTY OF CARROLL)
 5
 6 I, NANCY P. RICHMOND, Registered
 7 Professional Reporter, do hereby certify that I
 8 was authorized to and did stenographically report
 9 the foregoing deposition of BERNADETTE JACOBS;
 10 that a review of the transcript was requested; and
 11 that the transcript is a true record of my
 12 stenographic notes.
 13 I FURTHER CERTIFY that I am not a
 14 relative, employee, attorney, or counsel of any of
 15 the parties, nor am I a relative or employee of
 16 any of the parties' attorney or counsel connected
 17 with the action, nor am I financially interested
 18 in the action.
 19 Dated this 20th day of June, 2007.
 20
 21
 22
 23 _____
 24 NANCY P. RICHMOND, RPR
 25 and Notary Public

1 AL BETZ & ASSOCIATES, INC.
 2 Administrative Offices
 3 P.O. Box 665
 4 Westminster, Maryland 21158
 5 VOICE - (410)752-1733 FAX (410)875-2857
 6 e-mail - productiondept@albetzreporting.com
 7
 8 DATE: July 2, 2007
 9 JOB NUMBER: NR256842
 10 CASE CAPTION: NATIONAL FEDERATION OF THE BLIND V.
 11 TARGET CORP.
 12 COURT: UNITED STATES DISTRICT COURT FOR THE
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 CASE NO. C06-01802 MHP
 15 DEPONENT: BERNADETTE JACOBS
 16 DATE OF DEPOSITION: June 19, 2007
 17 ATTORNEYS/FIRMS:
 18 ATTORNEY NAME/FIRM
 19 DANIEL F. GOLDSTEIN, ESQUIRE
 20 MEGHAN SIDHU CAPEK, ESQUIRE
 21
 22 ALEXEI KLESTOFF, ESQUIRE
 23 Morrison & Foerster, LLP
 24
 25

1 READING & SIGNING PROCEDURE
 2
 3 The deposition of BERNADETTE JACOBS,
 4 taken in the matter, on the date, and at the time
 5 and place set out on the title page hereof.
 6 It was requested that the deposition be
 7 taken by the reporter and that same be reduced to
 8 typewritten form.
 9 It was agreed by and between counsel and
 10 the parties that the Deponent will read and sign
 11 the transcript of said deposition.
 12
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 25

1 Dear Sir/Madam:
 2
 3 Bound herewith is the transcript of the
 4 above-referenced deposition. Please read the
 5 transcript and sign the errata pages. Any
 6 additions or corrections should be listed on the
 7 errata sheets provided. Please remove the signed,
 8 completed errata sheets and return them to the
 9 address listed above for processing.
 10
 11 If this process has not been completed
 12 within (30) thirty days from the date of this
 13 letter, we will assume that the right to read the
 14 deposition has been waived. This is in accordance
 15 with Rule 30(e) of the Federal Rules of Civil
 16 Procedure and Rule 411 Section (a) of the Maryland
 17 Rules of Procedure.
 18
 19
 20
 21
 22
 23
 24
 25

1 DEPOSITION ERRATA SHEET
 2 RE: Al Betz & Associates, Inc.
 3 File No.: NR256842
 4 CASE CAPTION: NATIONAL FEDERATION OF THE BLIND V.
 5 TARGET CORP.
 6 DEPONENT: BERNADETTE JACOBS
 7 DEPOSITION DATE: June 19, 2007
 8 I have read the entire transcript of my
 9 Deposition taken in the above-captioned matter or
 10 the same has been read to me. I request that the
 11 changes noted on the following errata sheet be
 12 entered upon the record for the reasons indicated.
 13 I have signed my name to the Errata Sheet and
 14 authorize you to attach it to the original
 15 transcript.
 16 PAGE/LINE CHANGE REASON
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____
 24 SIGNATURE _____ DATE: _____
 25 BERNADETTE JACOBS

1	PAGE/LINE	CHANGE	REASON
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24	SIGNATURE		DATE:
25	BERNADETTE JACOBS		

EXHIBITS

1 LAURENCE W. PARADIS (California Bar No. 122336)
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23 UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA
25 SAN FRANCISCO DIVISION

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

Plaintiffs,

v.

TARGET CORPORATION,
Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

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



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510.665.8644

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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.

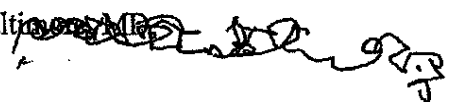
17 9. This past March, I tried to access Target's gift registry but eventually gave up out of
18 frustration. On that occasion, some friends who were adopting a child from India had registered
19 at Target for children's clothes and items. I planned to select a gift from Target's online registry
20 and 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,

28

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
12 

13
14 _____
15 BERNADETTE JACOBS
16

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