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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

13 NATIONAL FEDERATION OF THE BLIND,
 14 the NATIONAL FEDERATION OF THE
 BLIND OF CALIFORNIA, on behalf of their
 15 members, and Bruce F. Sexton, on behalf of
 himself and all others similarly situated,

16 Plaintiffs,

17 v.

18 TARGET CORPORATION,

19 Defendant.

Case No. C 06-01802 MHP

**TARGET CORPORATION'S
 ADMINISTRATIVE MOTION FOR
 LEAVE TO FILE STATEMENT OF
 RECENT DECISION**

Judge: Hon. Marilyn Hall Patel

1 Pursuant to Civil Local Rules 7-3(d) and 7-11, Defendant Target Corporation moves
2 for leave to file the Statement of Recent Decision attached as Exhibit A.

3 On September 18, 2007, the California Court of Appeals issued a ruling, *Urhausen v.*
4 *Longs Drug Stores California, Inc.*, No. A113937, --- Cal. Rptr. 3d ---, 2007 WL 2702927
5 (Cal. Ct. App. Sept. 18, 2007), regarding the Disabled Persons Act, Cal. Civ. Code § 54 et
6 seq. The ruling is relevant to two motions pending in the instant litigation: Plaintiffs'
7 motion for class certification and Defendant's motion for summary judgment. Because the
8 hearing regarding these motions has already occurred, Civil Local Rule 7-3(d) does not
9 authorize the filing of a statement of recent decision absent leave of Court.

10 Target respectfully urges the Court to grant it leave to file the attached Statement of
11 Recent Decision because consideration of the *Urhausen* ruling will assist the Court in ruling
12 on the class certification and summary judgment motions. The *Urhausen* ruling sheds light
13 on pertinent issues of California law, including the injury and standing requirements under
14 the Disabled Persons Act and what it means to be "denied full and equal access" under that
15 statute.

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17 Dated: September 21, 2007

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By: /s/ Kristina Paszek

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