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14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

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

19 Plaintiffs,

20 v.

21 TARGET CORPORATION,

22 Defendant.
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Case No. C06-01802 MHP

PUTATIVE CLASS ACTION

**JOINT STIPULATION AND
[PROPOSED] ORDER:**

- (1) CONTINUING THE HEARING
ON NFB'S MOTION FOR
PRELIMINARY INJUNCTION;
- (2) CONTINUING THE HEARING
ON TARGET'S MOTION TO
DISMISS; AND
- (3) GRANTING TARGET LEAVE
TO TAKE LIMITED
DISCOVERY

[Local Rule 6-2, 7-11]

JOINT STIPULATION AND [PROPOSED] ORDER RE: TARGET'S MOTION TO DISMISS
AND NFB'S MOTION FOR PRELIMINARY INJUNCTION (Case No. 06-01802 MHP)
la-857999

RECITALS

1
2 1. On April 27, 2006, Defendant Target Corporation ("Target") filed a Rule 12(b)(6)
3 Motion to Dismiss ("Target's Motion") pursuant to this Court's April 13, 2006 Order granting
4 Target leave to do so. Target's Motion is currently scheduled for hearing on June 5, 2006.

5 2. On May 8, 2006, Plaintiffs National Federation of the Blind, the National
6 Federation of the Blind of California and Bruce F. Sexton ("NFB") filed a Motion for Preliminary
7 Injunction ("NFB's Motion") pursuant to this Court's May 2, 2006 Order granting NFB leave to
8 do so. NFB's Motion is currently scheduled for hearing on June 12, 2006.

9 3. Because NFB's Motion is scheduled for hearing on June 12, 2006, Local Rule 7-3,
10 allows Target only two weeks to respond to NFB's Motion. The parties agree to continue the
11 hearing on NFB's Motion to June 26, 2006 at 2:00 p.m. to allow Target additional time to take
12 limited discovery and prepare a response.

13 4. Paragraph 2 of General Order 56, applicable to cases brought under the Americans
14 with Disabilities Act such as this, stays all discovery until this Court orders otherwise.

15 5. The parties agree to lift the stay imposed by General Order 56 for the limited
16 purpose of allowing Target to depose up to five of the individuals who submitted declarations in
17 support of NFB's Motion.

18 6. The parties also agree, in the interests of efficiency and judicial economy, to
19 continue the hearing on Target's Motion to June 26, 2006 at 2:00 p.m., so that it can be heard at
20 the same time as NFB's Motion.

21 7. Target reserves its right to seek additional time to respond to NFB's Motion, if
22 necessary.

23 STIPULATION

24 THEREFORE, the parties hereby stipulate as follows:

25 1. The hearing date on NFB's Motion shall be continued to June 26, 2006 at
26 2:00 p.m.

27 2. The hearing date on Target's Motion shall also be continued to June 26, 2006 at
28 2:00 p.m.

1 3. The due dates for the opposition and reply briefs on both NFB's Motion and
2 Target's Motion shall be calculated pursuant to Local Rule 7-3 (a) and (c), based upon the June
3 26, 2006 hearing date.

4 4. The discovery stay imposed by General Order 56 shall be lifted for the limited
5 purpose of allowing Target to depose up to five of the individuals who offered declarations in
6 support of NFB's Motion for Preliminary Injunction.

7
8 Dated: May 10, 2006

ROBERT A. NAEVE
DAVID F. MCDOWELL
MICHAEL J. BOSTROM
MORRISON & FOERSTER LLP

11 By: /s/
12 Robert A. Naeve

13 Attorneys for Defendant
14 TARGET CORPORATION

15 Dated: May 10, 2006

DISABILITY RIGHTS ADVOCATES
SCHNEIDER & WALLACE
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18 By: /s/
19 Laurence W. Paradis

20 Attorneys for Plaintiffs

21 PURSUANT TO STIPULATION, IT IS SO ORDERED

22 Dated May __, 2006

23
24 Honorable Marilyn Hall Patel
United States District Court Judge