

EXHIBIT C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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ORIGINAL

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

C 06-01802 MHP

vs.

TARGET CORPORATION

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TELEPHONIC DEPOSITION OF ROBERT AYALA

Deposition taken at the residence of
Robert Ayala, 46 Fairmount Street,
Nashua, New Hampshire, on Wednesday,
May 31, 2006, commencing at 3:01 p.m.

Court Reporter: Liza W. Dubois, RMR, CRR
CCR No. 104

1 THE WITNESS: Oh, okay.

2 MS. ROBERSON: If you can, yes.

3 A. Yes. Well, it's simple. I used --
4 before JAWS, I used Vocalize. It was my first
5 computer was DOS-based program.

6 BY MR. PLUNKETT:

7 Q. When did you use Vocalize?

8 A. 1994 to 1999, thereabouts.

9 Q. And then in 1999 you started using a
10 Windows-based program?

11 A. Yes.

12 Q. Is that when you started using JAWS?

13 A. Yes.

14 Q. How did you learn to use JAWS in 1999?

15 MS. ROBERSON: Objection; vague.

16 You can answer. I -- to remind you, I
17 have to make the objections, but unless I tell you
18 not to answer, you have to answer the question.

19 THE WITNESS: Okay.

20 A. I had a trainer that spent, I think,
21 one week with me.

22 BY MR. PLUNKETT:

23 Q. Was it one-on-one training?

24 A. Yes.

25 Q. How many hours that week did you spend

1 getting trained on JAWS?

2 A. It was roughly six to eight hours a
3 day, five days.

4 Q. Have you had any other training on JAWS
5 since that time?

6 A. No.

7 Q. What version of JAWS do you currently
8 use at home?

9 A. 4.51.

10 Q. And what version of JAWS do you use at
11 work?

12 A. The same.

13 Q. That's 4.51?

14 A. Yes.

15 Q. Do you know if that's the most recent
16 version of JAWS?

17 A. It is not.

18 Q. Do you know what the most recent
19 version is?

20 A. I believe it is 7.

21 Q. Have you ever used a version more
22 recent than 4.51?

23 A. Yes.

24 Q. What versions have you used?

25 A. 7.

1 site page, are you able to skip past that to the next
2 element on the page?

3 A. Yes.

4 Q. Is that something that you do?

5 A. Yes, most definitely.

6 Q. In paragraph 18 of your declaration
7 you state that you attempted to access the weekly
8 advertisement page on Target.com, but you were unable
9 to access it with your screen reading software.

10 When was that?

11 A. I believe that would have been after
12 the wedding thing, after December. So it would have
13 been sometime earlier this year.

14 Q. And what happened when you tried to
15 access the weekly ad?

16 A. Not much of anything. It was not -- it
17 was not something I was specifically looking for, but
18 just curious, what have they got on sale.

19 Q. Do you know of any other ways that you
20 can find out what Target's weekly ads are?

21 A. No.

22 Q. How long did you spend on Target.com
23 trying to access their weekly advertisement?

24 MS. ROBERSON: Objection; overbroad.

25 A. I don't recall. Probably not very

1 long.

2 Q. Less than ten minutes?

3 A. Probably. I am fairly proficient at
4 navigating a site that is navigable with JAWS. And
5 if I can tell if it's not friendly, I just -- I don't
6 have the time to fiddle with it, so I move on.

7 Q. And is that how you would describe
8 Target's web site?

9 MS. ROBERSON: Objection; vague.

10 A. You want to rephrase the question?

11 Q. Right. You said that if a web site is
12 not friendly, you don't have time to fiddle with
13 it --

14 A. Yes.

15 Q. -- and that you move on. Is that how
16 you would describe Target's web site?

17 A. Yes. That has been the history with me
18 and Target.

19 Q. In paragraph 19 of your declaration, it
20 states, "I have been told that there is also a baby
21 registry on Target.com in addition to the wedding
22 registry --

23 A. Yes.

24 Q. -- and if the site were accessible, I
25 would much prefer using those features to traveling

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C E R T I F I C A T E

I, Liza W. Dubois, a Registered Merit Reporter, Certified Realtime Reporter and Notary Public of the State of New Hampshire, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of the deposition of Robert Ayala who was first duly sworn, taken at the place and on the date hereinbefore set forth.

I further certify that I am neither attorney nor counsel for, nor related to or employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

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Liza W. Dubois
Liza W. Dubois, RMR, CRR
N.H. Certified Court Reporter
CCR No. 104