

1 ROBERT A. NAEVE (CA SBN 106095)  
 RNaeve@mofo.com  
 2 MORRISON & FOERSTER LLP  
 19900 MacArthur Blvd.  
 3 Irvine, California 92612-2445  
 Telephone: (949) 251-7500  
 4 Facsimile: (949) 251-0900

5 DAVID F. MCDOWELL (CA SBN 125806)  
 SARVENAZ BAHAR (CA SBN 171556)  
 6 MICHAEL J. BOSTROM (CA SBN 211778)  
 DMcDowell@mofo.com  
 7 SBahar@mofo.com  
 MBostrom@mofo.com  
 8 MORRISON & FOERSTER LLP  
 555 West Fifth Street, Suite 3500  
 9 Los Angeles, California 90013-1024  
 Telephone: (213) 892-5200  
 10 Facsimile: (213) 892-5454

11 STUART C. PLUNKETT (CA SBN 187971)  
 SPlunkett@mofo.com  
 12 MORRISON & FOERSTER LLP  
 425 Market Street  
 13 San Francisco, CA 94105-2482  
 Telephone: (415) 268-7000  
 14 Facsimile: (415) 268-7522

15 Attorneys for Defendant  
 16 TARGET CORPORATION

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

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

24 Plaintiffs,

25 v.

26 TARGET CORPORATION,

27 Defendant.

Case No. C06-01802 MHP

**DECLARATION OF DAWN  
 WILKINSON IN SUPPORT OF  
 TARGET CORPORATION'S  
 OPPOSITION TO PLAINTIFFS'  
 MOTION FOR PRELIMINARY  
 INJUNCTION**

Date: July 24, 2006  
 Time: 2:00 p.m.  
 Judge: The Honorable Marilyn Hall Patel

**DECLARATION OF DAWN WILKINSON**

1  
2 I, Dawn Wilkinson, have personal knowledge of the facts set forth below, and if called  
3 as a witness, I could and would testify under oath to the following:

4 1. I am 32 years old, married, and the mother of a 7 year old son. I have been  
5 completely blind since birth.

6 2. I am an instructor at the Arkansas School For The Blind (“ASB”) in Little  
7 Rock, Arkansas, where I teach Assistive Technology to secondary school students. I have  
8 been an Instructor at the ASB for 8 years. I began teaching Assistive Technology this past  
9 school year. For the previous seven years I taught Braille to elementary school students.

10 3. In the sight-impaired community, Assistive Technology refers to the computer  
11 hardware and software that assists sight-impaired individuals access and use computers.  
12 Examples of assistive technology include computer integrated Braille displays, scanning  
13 software, note takers, and screen readers, such as JAWS For Windows (“JAWS”). A screen  
14 reader is a software product that audibly reads the content of a computer screen using a speech  
15 synthesizer. In addition to the JAWS screen reader, I have also used WindowEyes and  
16 Freedom Box screen readers.

17 4. I have used computers since 1994, and various forms of assistive technology,  
18 including JAWS For Windows, since 1995. I currently use JAWS version 7.0.

19 5. On or about May 21, 2006, I accessed Target.com with the intention of  
20 navigating the web site and purchasing merchandise. I conducted my online shopping  
21 excursion using JAWS version 7.0. I was able to access Target.com, navigate the various links  
22 on the site, and search for specific products. I was also able to find the specific products I was  
23 shopping for, and browse through the various departments within Target.com. I conducted  
24 searches on Target.com by category and department. Specifically, I looked at products in the  
25 music, toys and games, and “Target Exclusive” departments. I was able to add merchandise to  
26 my virtual shopping cart, and remove items I chose not to purchase. At the end of my  
27 shopping experience, I was able to complete my purchase using a credit card, and I received  
28

1 verification of my purchase from Target.com. The products I purchased were delivered to my  
2 home on May 25, 2006. During this shopping excursion, I spent a little more than two hours  
3 on Target.com exploring the various functions and features offered on Target.com.

4 6. On or about May 23, 2006, I again accessed Target.com with the intention of  
5 navigating the web site and purchasing merchandise. This time, I conducted my online  
6 shopping excursion using FreedomBox, with System Access version 2. Again, I was able to  
7 navigate the site, search for merchandise, remove merchandise from my virtual shopping cart,  
8 and purchase merchandise on Target.com. The products I purchased from Target.com on May  
9 23, 2006 were delivered to my home on May 27, 2006. During this shopping excursion, I  
10 spent a little more than an hour exploring Target.com to see if I was able to utilize the various  
11 functions and features on the website with Freedom Box.

12 7. During both of my shopping excursions on Target.com, I was able to navigate  
13 and use the features on the site with little or no difficulty. When I did encounter an obstacle,  
14 or when a process was unclear, I was able to figure out how to work my way around the  
15 obstacle using my screen reader. I found that the product descriptions on Target.com were  
16 very helpful and assisted me in making my product choices. In fact, the reason I like shopping  
17 on-line is that I can get extensive and detailed information regarding a product. This is very  
18 helpful.

19 8. I found my shopping experience on Target.com to be enjoyable and fun. I  
20 intend to shop on Target.com again. I also intend to recommend Target.com to my friends,  
21 both sighted and sight-impaired.

22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

9. On a final note, after my Target.com shopping experience, I asked several of my students to go to Target.com during a JAWS training class. Those students were all able to navigate Target.com with relative ease.

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

Executed this 9th day of June 2006, at Little Rock, Arkansas.

\_\_\_\_\_  
Dawn Wilkinson

*(Handwritten signature)*

DECLARATION OF DAWN WILKINSON (Case No. 06-01802 MHP)

la-863200