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15 Attorneys for Defendant  
 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 PAUL SCHUTZ  
 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 PAUL SCHUTZ**

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

4 1. I am Target.com's Senior Manager in charge of logistics. I have held this position  
5 for the past year. I oversee all inbound transportation of merchandise sold through  
6 Target.com, fulfillment of guest orders, outbound transportation of merchandise to Target.com  
7 guests, and return of merchandise sold through Target.com's website.

8 2. Target.com is a separate merchandising channel through which Target Corporation  
9 sells goods and services through a website located at www.target.com. Target.com's website  
10 does not exist in any physical location. Internet users can visit Target.com's website through  
11 their computers from anywhere in the United States. By doing so, Target.com's guests can view  
12 and purchase goods from Target.com's website without ever visiting one of Target Corporations'  
13 brick and mortar retail stores ("Target's retail stores").

14 3. Unlike Target's retail stores, Target.com does not need to maintain and refresh  
15 inventory displayed on brick and mortar store shelves. As a result, Target.com does not operate  
16 regional warehouses to supply particular stores, and has created separate logistical operations that  
17 are different from those used by Target's retail stores.

18 4. Merchandise sold through Target.com is handled in one of three ways: (a) it is  
19 received from vendors, stored, packed, and shipped out to Target.com guests through  
20 Target.com's Woodbury, Minnesota warehouse; (b) it is received, stored, packed, and shipped out  
21 to Target.com guests through a facility operated by one of Target.com's third-party contractors;  
22 or (c) it is shipped directly to Target.com guests by the merchandise vendor.

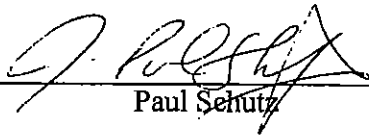
23 5. Target.com's Woodbury facility handles merchandise for Target.com exclusively.  
24 It does not also handle merchandise for sale through Target's retail stores. The same is true for  
25 Target.com's third-party contractors. Those contractors do not also conduct logistical operations  
26 for Target's retail stores.

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6. None of the third-party facilities where Target.com's products are fulfilled is located in California.

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

Executed on June 12, 2006, at Minneapolis, Minnesota.

  
\_\_\_\_\_  
Paul Schutz