

# **EXHIBIT 5**

00001

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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5	NATIONAL FEDERATION OF THE	)	Case No.
6	BLIND, et al.,	)	C 06-01802 MHP
7	Plaintiffs,	)	
8	v.	)	
9	TARGET CORPORATION,	)	
10	Defendant.	)	
11	- - - - -		

DEPOSITION OF TIM ELDER  
WEDNESDAY, MAY 24, 2006

BY: CHRISTINE L. JORDAN, CSR NO. 12262  
1320 ADOBE DRIVE  
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1 friend's registration on the website?

2 A. I was able to find my friend's registration  
3 on the website.

4 Q. Were you able to select the item from the  
5 registry that you wanted to purchase?

6 A. I had difficulty determining whether or not  
7 an item I had purchased was placed in the shopping cart  
8 or not.

9 Q. Can you describe that difficulty?

10 A. It would be very hard to describe the  
11 difficulty, but it was difficult to navigate around the  
12 site and determine if the item had been placed in my  
13 cart. From my best estimate, the item had reached my  
14 cart, but I was not entirely sure because the website  
15 is rather hard to navigate around.

16 Q. Are you able to explain in any greater detail  
17 the difficulty in determining whether the item was in  
18 fact in your cart?

19 A. I cannot.

20 Q. At some point were you able to determine that  
21 there was an item in the cart such that you were ready  
22 to begin a checkout phase?

23 A. I was never completely confident that there  
24 was an item in the cart, but I did seek to check out.

25 Q. Did you ever locate information on the screen