# EXHIBIT 10

Dockets.Justia.com

00001

* * * ATTORNEY'S AGREEMENTS FOLLOW * * *

REPORTER'S NOTE: Since this deposition has been realtimed and you may be in possession of a rough draft form, please be aware that there may be a discrepancy regarding page and line numbers when comparing the realtime screen, the rough draft, rough ASCII, and the final transcript. Also please be aware that the realtime screen and the unedited, uncertified rough draft transcript may contain untranslated steno, an occasional RPTR'S NOTE, a misspelled proper name, and/or nonsensical English word combinations. These are not "mistakes" made by the reporter but are caused by the limitations of writing the English language stenographically. All such entries are corrected on the final certified transcript.

If the deposition has been videotaped, the realtime draft, if any, will be compared against the audio of the videotape in order to assure complete accuracy on the final transcript.

ATTORNEY'S AGREEMENTS: By accepting a rough draft transcript or a rough ASCII diskette, I am hereby agreeing to the terms as specified below. I also

00015

BY MR. PLUNKETT:
Q Anything else?
A Can you specify what you're asking?
Q Any other examples of how improvements to jaws have made access to websites more accessible?
MS. ROBERSON: Same objection.
THE WITNESS: I'm hesitating because I'm trying to think of specific key strokes or -- I would say being able to go into the jaws cursor and route to specific areas of a screen have been helpful. But I think that has been part of jaws even since it was DOS based. So, again, I'm dealing with gradual improvements. It's like gaining weight. You only remember -- you only remember when you step on the scale and suddenly realize that you're fat. I don't know how else to express it.
BY MR. PLUNKETT:
Q Do you remember any other examples of improvements to jaws making the Internet more accessible to you?
MS. ROBERSON: Objection; asked and answered.
THE WITNESS: Again, it's that same -- I have to say I'm with Camilla on this one. Asked and answered. I don't know what else to respond.

00025

closest is probably Amazon, but I know people who have succeeded. My hesitation is that part of it is a patient issue for me. If a website is not friendly after a relatively short period of time, I take my custom elsewhere.

BY MR. PLUNKETT:

Q Was that the problem in accessing Target.com?

A The problem in accessing Target.com is that I have actually wanted products that Target has with a Google search has indicated that they have. When I've gone to the website, I have been unable to read the screen in any meaningful way, so I wasn't able to access the product even though I know Target well enough to know that it was probably something that I wanted.

When that's happened, I've just closed it.

Q How long on those occasions were you on Target.com before you closed it?

A I can't say precisely. I would say that I was probably on Target.com for a relatively brief period of time the times that I tried because the graphics labeling and other things were so bad that I couldn't make any progress, so it seemed a waste of time to go further.

00028

Q Describe for me what happened.
A I noticed when I went to the home page that the graphics were somewhat better. I successfully searched. I found a product that sounded interesting. I tried to purchase that product, and at that point the graphics went back to being garbage and not understandable, so I closed the site.
Q You conducted a search and you were able to find the item?
A I conducted a search and I was able to find a list of soap dishes.
Q Did you add an item to your cart?
A I was unable to do that.
Q Why were you unable to do that?
A I was unable to do that because at the point I wished to do that, when I hit what I thought would add the item to the cart, a bunch of other products came up and, you know, people who bought this also bought kind of products. And I was not able to locate the length that would allow me to actually add it to the cart. And then just -- it just turned the garbage. You know, some of the links were reading, like, cake UPR, garbage, not comprehensible.

00030

BY MR. PLUNKETT:

Q Paragraph 20 of the declaration, it states "upon accessing Target.com on several occasions, I have become frustrated with inexplicable codes and garbled text that has prevented me from continuing to navigate through the site, and I have never navigated past the home page except on the occasions I found a direct link through Google.com."

What do you mean by inexplicable code and garbled text?

A By inexplicable code and garbled text, I mean what I was tribing earlier, where you hit a link, and instead of saying the product or put in basket or something recognizable, it is -- you know, I can't -- I can't do it because it's not understandable. It's like -- so how did the sound you can't hear sound? You know, it's just crap. It's a series of letters, numbers, symbols glommed together which probably means something somewhere in computer code. And when jaws tries to read them, it's highly amusing and not very effective.

Q And is this inexplicable code and garbled text on Target's home page?

A I have encountered it on target's home