

EXHIBIT 13

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 SAN FRANCISCO DIVISION

4 NATIONAL FEDERATION OF THE BLIND,)
5 the NATIONAL FEDERATION OF THE)
6 BLIND OF CALIFORNIA, on behalf of)
7 their members, and Bruce F. Sexton,)
8 on behalf of himself and all others)
9 similarly situated,)

10 PLAINTIFFS)

11 V.) NO. C06-01802 MHP

12)
13 TARGET CORPORATION,)

14 DEFENDANT)

15 ORAL DEPOSITION OF

16 DAWN WILKINSON

17 TAKEN IN LITTLE ROCK, ARKANSAS

18 JUNE 21, 2006

19
20
21
22 ATKINSON-BAKER, INC.

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25 REPORTED BY: TERESA IDEN, CCR NO. 646

1 Q Okay. Mrs. Wilkinson, are you blind?

2 A Yes.

3 Q How long have you been blind?

4 A Since birth.

5 Q Okay. Do you have any residual vision?

6 A No.

7 Q Okay. So, can you please describe your educational
8 background for me, beginning with high school?

9 A I graduated from Jacksonville High School. And
10 then I went to UCA for a year, and then transferred to
11 UALR. I got my Bachelors degree in psychology. And
12 then --

13 Q I'm sorry to interrupt you, but would you mind
14 saying the full names of those places that you attended?

15 A University of Central Arkansas, Conway. And then
16 UALR, University of Arkansas at Little Rock. And then I
17 received a second Bachelors degree in Elementary
18 Education after realizing that my psychology was -- I
19 don't know, it's not what I wanted to do at that point.
20 I still wanted to go back and get into education after
21 all, so I did. And I finished that in '98. And then,
22 at which time I began working on my Masters in Teaching
23 Visually Impaired Children. And I began my work career
24 in '98, as well. And I finished my Masters in Teaching
25 the Visually Impaired in 2001. I haven't gone back

1 since.

2 Q Okay. And your Masters, you got that part-time; is
3 that right?

4 A Yes.

5 Q Okay.

6 A Yes. And it was also from the University of
7 Arkansas at Little Rock.

8 Q Okay. I believe you said you graduated for -- with
9 your second Bachelor in 1998. What was the date of your

10 earlier degree?

11 A '96.

12 Q '96. Okay.

13 A I did a semester of -- of Rehab Teaching, a
14 graduate study in that fall of '96. And that's when I
15 decided that I really wanted to go back into education
16 and I didn't want to go into rehab route . And so, it
17 was easier for me to go back and get the Bachelors.

18 Q I see.

19 A Anyway, it was one of those things that you're,
20 "Wow, why didn't I do this right the first time?"

21 Q Well, some of us figure it out, others take a
22 little more time, but we don't worry about that. It's
23 all in the past anyway. So, other than what you just
24 described, do you have any other kind of formal training
25 in your background?

1 BY MR. BASRAWI:

2 Q Do you -- I'm sorry.

3 A Well, I just know that some links could be labeled
4 a little better than others. But --

5 Q So, you have gone to web pages that say, "Graphic,"
6 and then --

7 A Uh-huh.

8 Q -- has a label on it, correct?

9 A Uh-huh.

10 Q For a link?

11 A Uh-huh.

12 Q And does that make it easier than if there wasn't a
13 label on that graphic, to identify that link?

14 MR. PLUNKETT: Objection. Vague.

15 BY THE WITNESS:

16 A Well, for essence of time -- for essence of time
17 and you know, the speaking commands, on trying to figure
18 out what it is, you know, yes. It's obviously easier.

19 BY MR. BASRAWI:

20 Q Okay.

21 MR. BASRAWI: All right. Let's take a
22 break, if you want. Five minutes?

23 MR. PLUNKETT: Sure.

24 (WHEREUPON , a short break was taken, after
25 which the deposition proceedings resumed as

1 Q Okay. Well, I mean, have you ever been to a
2 website that you have found difficult to use?

3 MR. PLUNKETT: Objection. Vague.

4 BY THE WITNESS:

5 A Difficult to use, yes.

6 BY MR. BASRAWI:

7 Q Okay. And what websites would those be, if you
8 remember?

9 A Offhand, I don't really remember specifically. I
10 mean, it's been a long time since I've probably found
11 something that I just thought, "Oh," you know. In my
12 personal experience, in most of them, even if things
13 aren't labeled or whatever it's been just -- it's -- you
14 know, you can access a link and find out what it is.
15 And then a lot of times, if you get -- depending on the
16 website -- but if you get -- even in the very first
17 page, if the very first homepage or something doesn't
18 work so well and you get on to the next link, everything
19 else works, you know, fine in some -- in some instances.
20 But you know, you might not have been able to read the
21 label for the link but, boy, once you hit it and found
22 out that that was the calendar or that was the, you
23 know, whatever, it read wonderfully. It's -- but that's
24 one that has just been my --

25 Q Okay.

1 A -- my experience as far as -- you know, most things
2 I pretty much think I've been able to figure out, work
3 around, and do -- do what I needed to get done. It
4 might not have been always the easiest thing in the
5 world, but it was -- it was doable.

6 Q And do you find it frustrating when you encounter
7 websites like that?

8 MR. PLUNKETT: Objection. Lacks
9 foundation. Vague.

10 BY THE WITNESS:

11 A Maybe initially.

12 BY MR. BASRAWI:

13 Q You do?

14 A Initially. I mean, I go, "You know, okay, I'll
15 figure this out." And you usually do, you know.

16 Q Just so we're -- we understand what we're talking
17 about, what -- you know, what do you mean by "difficult
18 to use"?

19 MR. PLUNKETT: Objection. Lacks
20 foundation.

21 BY THE WITNESS:

22 A Um -- I think it -- I mean, it varies. I mean, it
23 just totally varies on whatever kind of website. I
24 mean, some of them will just say, "Graphic," and that's
25 it. Or some of them will say a bunch of stuff and it'll

1 Q Okay. I understand that you visited target.com on
2 May 23rd; is that correct?

3 A Yes.

4 Q Okay. And at that visit, you used Freedom Box; is
5 that correct?

6 A Yes.

7 Q Did you notice any differences in the way you were
8 able to access target.com on that occasion from previous
9 occasions?

10 A When it first comes up, the first thing it says is,

11 "Can I help you find something?" And where as, you
12 know, JAWS would start reading more of the, "Target.com,
13 duh, duh, duh, duh." You know, it would read the whole
14 thing and then it would get to the, "Can I help you find
15 something?" You know, it was -- Freedom Box, when it
16 comes up, it's kind of designed to kind of start at the
17 -- like you know, big catch phrase. And then, of course
18 with Freedom Box, when you -- a portion of the page --
19 you have to change that a little. I mean, the page is -
20 - was going to be a little different that time because I
21 had been -- I had already created my account with JAWS
22 the time before. But I did actually log out and, you
23 know, tell it that I wasn't me at one point just to see
24 kind of how it came up and what it said. But other than
25 not having to enter, of course, Forms Mode when you fill

1 in -- like if you want to do a Search or if you're
2 entering your username or password or any of the other
3 stuff, the quantity. You -- of course, you don't have
4 those shortcuts. Like, there's certain shortcuts that
5 maybe JAWS might have that Freedom Box doesn't. I mean,
6 you can still use -- you can still use, like you know,
7 "E" to go to Edit for, you know, form fields and that
8 kind of thing. There are some things -- of course
9 Windows Find is going to work the same as it always
10 does. But, like, "B" for -- things like "B" for button
11 and things like that are -- you know, are different. It
12 uses -- you use a modifier key and "H" to do headings.
13 You can use your -- whatever your modifier key is
14 because you can customize that. You can have it either
15 be your Insert or your Shift key -- you can -- you have
16 control over what your modifier key is, with Freedom
17 Box. So, you can -- you can still do things, it's just
18 a little bit different. And then, like, the checkout --
19 the "Proceed to Checkout" button. With Freedom Box, you
20 hit Enter and it works great. So, with JAWS, when I got
21 to the "Proceed to Checkout" button -- and honestly,
22 every other button worked fine -- but "Proceed to
23 Checkout", you hit Enter -- and you can hit Enter all
24 day, and it just sits there.

25 Q And this is with which?

1 A With JAWS. And so, with JAWS, you -- you do your
2 Insert+Z and turn off your virtual cursor and then you
3 tab over to find that "Proceed to Checkout" button
4 again, with your Virtual PC cursor off, and hit Enter
5 and it works fine. And then you can turn your cursor
6 back on and everything works beautifully. But with
7 Freedom Box, you didn't have to do that. You just hit
8 Enter and it will --

9 Q And you're talking about the "Proceed to Checkout"
10 button when you're going to make a purchase?

11 A Uh-huh.

12 Q And do you know where that button was located, on
13 the page?

14 A It's after you -- you've got your "Contents of Your
15 Cart" and you've got -- it'll say, you know, "Quantity,"
16 "Update," "Delete," you know, for each item that's in
17 there. And you keep tabbing across and you'll see all
18 the stuff in your cart. And then there's something that
19 says -- you've got, like, a "Continue Shopping," button
20 and then there's -- and it's right -- right in that
21 vicinity when you're -- when you're tabbing across. And
22 when your Virtual PC cursor is off, your arrow keys do
23 not work so well. It jumps around the screen too much.
24 So, you have to tab to find it. Because even if you're
25 directly on it and you -- and you do that Insert+C, to

1 turn that Virtual PC cursor off, you're going to lose
2 that spot. You're going to have to tab to find it
3 again. Even if you were directly on that "Proceed to
4 Checkout" when you turn that cursor off, then you're
5 still going to have to go back and find it.

6 Q How long did it take you to figure out how to
7 activate the "Proceed to Checkout" button?

8 A What program? On JAWS?

9 Q On JAWS.

10 A Yeah. Just probably a couple of minutes. I
11 realized it wasn't going to work with the -- and then I
12 tried just routing the -- you know, routing the JAWS --
13 routing JAWS PC and then doing the left-click and
14 realized that wasn't going to work. And I thought,
15 "Okay. Let's just turn our Virtual PC cursor off." And
16 did it. And tabbed over and found my little "Proceed to
17 Checkout" button again, and hit Enter, and it worked.

18 Q And you said it took about two minutes?

19 A Uh-huh. At most.

20 Q Were you frustrated by the fact that it took two
21 minutes to figure it out?

22 A I was a little surprised, initially, that it didn't
23 work. But I thought, "Well, you know, there's gotta be
24 something JAWS isn't -- JAWS isn't telling it that it's
25 clicking. JAWS isn't doing something, here." And

1 again, I'm -- I'm on 7.0 and I do know that there are
2 later versions. There's, like, a beta version or
3 something, 7.1, 7.2 -- I'm trying to think -- anyway,
4 and I don't have it. So you know, I thought, "Well,
5 maybe this is the reason I should update or whatever."
6 I don't know, but -- but all the other buttons worked
7 fine. So, I don't know what it is about that one. It's
8 a little odd. But everything else works great. So,
9 once I got it going, you know, and then went back to my
10 normal Virtual Cursor Mode, it was fine. And so, I just
11 kept going.

12 Q Now, do you expect that a beginner screen reader
13 user would have been able to figure out how to activate
14 the button?

15 MR. PLUNKETT: Objection. Vague. Calls
16 for speculation.

17 BY THE WITNESS:

18 A Well, it depends on really how much -- you know, as
19 a beginner, how much initiative do you take? How much
20 are you going to read? And how much are you going to,
21 you know, how much are you going to look at it? And how
22 much are you going to try? I don't -- I am totally self
23 taught on what I've learned and I know that, you know,
24 when I got -- so many changes have happened since I
25 started JAWS. There wasn't even such a thing as, you

1 know, turning the Virtual PC cursor off. So, this isn't
2 something that, you know, I've known forever. This is
3 more -- one of those more recent features in the last,
4 you know, couple of years that's just kind of happened.
5 And you thought -- you've read about all the cursors and
6 thought, "Oh, gee. Wonder why that would make a
7 difference?" And you just kind of try them out and go,
8 "Gosh, it does. I guess that's why they put it there."
9 I don't know. It's -- it all depends on the user and
10 how much they want to delve into it and -- because
11 everyone is different.

12 BY MR. BASRAWI:

13 Q Okay. And have you ever had to use -- to turn off
14 the virtual cursor in order to activate a button before?

15 A Uh-huh.

16 Q When was that?

17 A I don't remember the exact site. I know it's
18 happened, because I know -- because that's how I knew to
19 try it again. So, it's kind of like -- I -- when I was
20 playing with cursors, I just thought -- I wanted to see
21 the difference, I remember, in just how -- like, I was
22 on Yahoo or something and just was playing around with
23 links and stuff, and wanted to see what the difference
24 was if I had my Virtual PC cursor on or off, and how it
25 affected just how the whole navigational process went,