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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 NATIONAL FEDERATION OF THE
17 BLIND, the NATIONAL FEDERATION OF
18 THE BLIND OF CALIFORNIA, on behalf of
19 their members, and Bruce F. Sexton, on behalf
20 of himself and all others similarly situated,

21 Plaintiffs,

22 v.

23 TARGET CORPORATION,
24 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF DANIEL BROME
IN SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION

Date: April 12, 2007

Time: 2:30 p.m.

Judge: Honorable Marilyn H. Patel

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1 I, Daniel Brome, declare as follows:

2 1. I am a paralegal at the firm of Disability Rights Advocates, counsel for the Plaintiffs in
3 this action. I have personal knowledge of the facts set forth herein. If called as a witness, I
4 would and could competently testify as follows:

5 2. I have researched the publicly available information regarding the number of blind or
6 visually impaired individuals in California and the United States.

7 3. According to a survey from 2002 conducted by the U.S. Census Bureau, 1.8 million
8 Americans were unable to see. Attached hereto as Exhibit A is a true and correct copy of a press
9 release containing this information, which can be found at: [http://www.census.gov/Press-](http://www.census.gov/Press-Release/www/releases/archives/aging_population/006809.html)
10 [Release/www/releases/archives/aging_population/006809.html](http://www.census.gov/Press-Release/www/releases/archives/aging_population/006809.html).

11 4. According to the 2002 U.S. Census, there were 51.2 million Americans with a disability,
12 of whom 1.8 million were unable to see. According to a 2005 survey by the U.S. Census, there
13 were 4.1 million people with a disability in California. Assuming that the blind account for the
14 same portion of people with disabilities in California as in the U.S. as a whole, approximately
15 140,000 people in California were unable to see as of 2005. Attached hereto as Exhibit B is a
16 true and correct copy of the Census information pertaining to California, which can be found at:
17 [http://factfinder.census.gov/servlet/ACSSAFFacts?_event=Search&geo_id=&geoContext=&](http://factfinder.census.gov/servlet/ACSSAFFacts?_event=Search&geo_id=&geoContext=&street=&county=&cityTown=&state=04000US06&zip=&lang=en&sse=on&pctxt=fph&pgsl=010)
18 [street=& county=& cityTown=& state=04000US06& zip=& lang=en& sse=on&pctxt=fph&](http://factfinder.census.gov/servlet/ACSSAFFacts?_event=Search&geo_id=&geoContext=&street=&county=&cityTown=&state=04000US06&zip=&lang=en&sse=on&pctxt=fph&pgsl=010)
19 [pgsl=010](http://factfinder.census.gov/servlet/ACSSAFFacts?_event=Search&geo_id=&geoContext=&street=&county=&cityTown=&state=04000US06&zip=&lang=en&sse=on&pctxt=fph&pgsl=010).

20
21 I declare under penalty of perjury under the laws of the state of California that the foregoing is
22 true and correct.

23
24 Executed on January 30, 2007, in Berkeley, California

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26 
27 Daniel Brome

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EXHIBIT A

having Medicare or Medicaid coverage, living below the poverty level, reporting their health status to be "fair or poor," receiving public assistance and having a household income below \$20,000. For instance, the poverty rate for people 25 to 64 with no disability was 8 percent, compared with 11 percent for those with a nonsevere disability and 26 percent for people with a severe disability.

The report defines a person as having a disability if they have difficulty performing a specific activity such as seeing, hearing, bathing or doing light housework, or had a specified condition, such as Alzheimer's disease or autism. (See attachment.) People are considered to have a severe disability if they are completely unable to perform one or more of these tasks or activities, need personal assistance or have one of the severe conditions described in the report.

Other highlights:

- Four million children ages 6 to 14, or 11 percent, had a disability. The chances of having a disability rise with age: 72 percent of people age 80 and older had disabilities.
- Approximately 11 million people ages 6 and older, or 4 percent, needed personal assistance with an everyday activity. Among the population age 15 and older, 2.7 million used a wheelchair and 9.1 million an ambulatory aid such as a cane, crutches or a walker.
- About 7.9 million people age 15 and older had difficulty seeing the words and letters in ordinary newspaper print, including 1.8 million who were unable to see.
- There were 7.8 million people age 15 and older who had difficulty hearing a normal conversation, including 1 million unable to hear.
- About 14.3 million people age 15 and older had limitations in cognitive functioning or a mental or emotional illness that interfered with their daily activities, such as Alzheimer's disease, depression or mental retardation. This group comprised 6 percent of the population.
- Among adults ages 16 to 64, 11.8 million or 6 percent reported the presence of a condition that makes it difficult to remain employed or find a job.
- Median earnings for people with no disability were \$25,000, compared with \$22,000 for people with a nonsevere disability and \$12,800 for those with a severe disability.
- Of those ages 15 to 64, 36 percent with a severe disability used a computer and 29 percent used the Internet at home.

-X-

These data were collected from June through September 2002 in the Survey of Income and Program Participation. As in all surveys, these data are subject to sampling variability and other sources of error.

Source: U.S. Census Bureau | Public Information Office | (301) 763-3030 | Last Revised: December 11, 2006

EXHIBIT B



U.S. Census Bureau
American FactFinder

FACT SHEET

California

**2005 American Community Survey
Data Profile Highlights:**

Note: The 2005 American Community Survey universe is limited to the household population and excludes the population living in institutions, college dormitories, and other group quarters.

General Characteristics - show more >>	Estimate	Percent	U.S.	Margin of Error	
Total population	35,278,768			*****	
Male	17,497,507	49.6	49.0%	+/-4,744	rank
Female	17,781,261	50.4	51.0%	+/-4,744	rank
Median age (years)	34.4	(X)	36.4	+/-0.2	rank
Under 5 years	2,679,311	7.6	7.0%	+/-3,023	
18 years and over	25,623,626	72.6	74.6%	+/-2,156	
65 years and over	3,701,104	10.5	12.1%	+/-2,855	rank
One race	34,182,772	96.9	98.1%	+/-23,933	
White	21,491,336	60.9	74.7%	+/-78,683	rank
Black or African American	2,163,530	6.1	12.1%	+/-16,014	rank
American Indian and Alaska Native	253,774	0.7	0.8%	+/-11,432	rank
Asian	4,365,548	12.4	4.3%	+/-14,931	rank
Native Hawaiian and Other Pacific Islander	124,511	0.4	0.1%	+/-4,759	rank
Some other race	5,784,073	16.4	6.0%	+/-80,501	rank
Two or more races	1,095,996	3.1	1.9%	+/-23,933	rank
Hispanic or Latino (of any race)	12,523,379	35.5	14.5%	*****	
Household population	35,278,768	100.0	100.0%	*****	
Group quarters population	(X)	(X)	(X)	(X)	
Average household size	2.92	(X)	2.60	+/-0.01	rank
Average family size	3.53	(X)	3.18	+/-0.01	
Total housing units	12,989,254			*****	
Occupied housing units	12,097,894	93.1	89.2	+/-20,853	
Owner-occupied housing units	7,070,138	58.4	66.9	+/-36,338	rank
Renter-occupied housing units	5,027,756	41.6	33.1	+/-31,936	
Vacant housing units	891,360	6.9	10.8	+/-20,853	

Social Characteristics - show more >>	Estimate	Percent	U.S.	Margin of Error	
Population 25 years and over	22,299,041			+/-5,730	
High school graduate or higher	(X)	80.1	84.2%	(X)	rank
Bachelor's degree or higher	(X)	29.5	27.2%	(X)	rank
Civilian veterans (civilian population 18 years and over)	2,193,336	8.6	10.9%	+/-21,575	rank
Disability status (population 5 years and over)	4,122,404	12.7	14.9%	+/-37,435	
Foreign born	9,611,356	27.2	12.4%	+/-53,997	rank
Male, Now married, except separated (population 15 years and over)	7,195,952	53.8	55.9%	+/-34,327	
Female, Now married, except separated (population 15 years and over)	6,884,327	49.7	51.0%	+/-33,912	
Speak a language other than English at home (population 5 years and over)	13,791,180	42.3	19.4%	+/-59,671	rank

Economic Characteristics - show more >>	Estimate	Percent	U.S.	Margin of Error	
In labor force (population 16 years and over)	17,324,829	64.9	65.9%	+/-36,809	rank
Mean travel time to work in minutes (workers 16 years and over)	27	(X)	25	+/-0.1	rank
Median household income (in 2005 inflation-adjusted dollars)	53,629	(X)	46,242	+/-324	rank
Median family income (in 2005 inflation-adjusted dollars)	61,476	(X)	55,832	+/-280	rank

Per capita income (in 2005 inflation-adjusted dollars)	26,800	(X)	25,035	+/-129	
Families below poverty level	(X)	10.3	10.2	(X)	
Individuals below poverty level	(X)	13.3	13.3	(X)	rank


Housing Characteristics - show more >>

	Estimate	Percent	U.S.	Margin of Error	
Owner-occupied homes	7,070,138			+/-36,338	rank
Median value (dollars)	477,700	(X)	167,500	+/-1,683	rank
Median of selected monthly owner costs	(X)	(X)		(X)	
With a mortgage (dollars)	1,912	(X)	1,295	+/-8	rank
Not mortgaged (dollars)	388	(X)	369	+/-3	rank

Source: U.S. Census Bureau, 2005 American Community Survey

Explanation of Symbols:

1. An '(X)' entry indicates that a value is not applicable or not available for the characteristic.
2. An '*****' entry in the margin of error column indicates that the estimate is controlled. A statistical test for sampling variability is not appropriate.
3. An 'N' entry indicates that data for this geographic area cannot be displayed because the number of sample cases is too small.

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