

# EXHIBIT G

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18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 NATIONAL FEDERATION OF THE  
22 BLIND, the NATIONAL FEDERATION OF  
23 THE BLIND OF CALIFORNIA, on behalf of  
24 their members, and Bruce F. Sexton, on behalf  
25 of himself and all others similarly situated,

26 Plaintiffs,

27 v.

28 TARGET CORPORATION,  
Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF JENNIFER  
DUNNAM IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Jennifer Dunnam, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4 **Background**

5 2. My name is Jennifer Marie Dunnam, and I was born October 26, 1970.

6 3. I have been totally blind since birth due to lack of development of my optic nerve.

7 4. My primary residence is in Minneapolis, Minnesota.

8 5. I am manager of access programs in the Disability Services department at the University  
9 of Minnesota.

10 6. I have been a member of the National Federation of the Blind since April 1985.

11 **Computer and Internet Use**

12 7. I have used computers for more than fifteen years, and I am a competent and proficient  
13 computer user.

14 8. I have accessed the Internet for ten years, and I use it to shop online, reserve airline  
15 tickets, conduct research, send and receive e-mail, and read the news, among other tasks.

16 9. I have used JAWS screen-reading software for ten years. I would be able to use a  
17 computer neither independently nor efficiently in order to perform the functions mentioned  
18 above without this software.

19 10. When web sites are properly coded, I can use them. I regularly use the web sites of  
20 Google, Northwest Airlines, the Minneapolis Public Library, and Bookshare.org. I believe a  
21 majority of web pages I have come across are more accessible than Target.com.

22 **Experience with Target Retail Stores**

23 11. My family, friends, and I use Target stores. There are a number of Target Retail Stores in  
24 my area. I like Target products because they are high quality for the price that consumers pay.  
25 Target provides a wide variety of products that I am interested in purchasing.

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1 12. To travel to a physical Target store, I take a public bus which takes between twenty five  
2 and thirty minutes of travel time each direction. Once I am at the store, I need a store member to  
3 assist me with my shopping.

4 **Harms Experienced Because of the Inaccessibility of Target.com**

5 13. I prefer to shop online whenever I can because I can more easily access information  
6 regarding a wide variety of products.

7 14. I want access to Target.com primarily because I want to purchase products directly from  
8 the web site. This would allow me to avoid the inconveniences of traveling to the Target stores  
9 and encountering the holiday crowds. I am also interested in using Target.com's wedding  
10 registry features. However, there are times that I do go to physical stores to do my shopping. If  
11 Target.com were easily accessible, I would definitely use it in connection with my future visits to  
12 Target's retail stores.

13 15. I have attempted to use Target.com three times between December 2005 and March  
14 2006. The last time I used it, I spent between roughly forty five minutes on Target.com in order  
15 to ensure I had not missed a means of checking out and purchasing products.

16 16. The last time I visited Target.com, I hoped to purchase a water filter for my sink. After  
17 determining that Target had the product I wanted, I found that I was unable to proceed to  
18 checkout and actually purchase it.

19 17. Inexplicable code and garbled text made navigating the site difficult. Since I did not  
20 know half of what I was reading, I wondered how much useful content I was missing.

21 18. Target.com contained links and images without labels as to what they were or what they  
22 did.

23 19. I was unable to find and use the Continue to Checkout button despite exhausting all the  
24 techniques at my disposal. First, I placed the virtual cursor to the part of the page where I thought  
25 the button should be. Second, I used the JAWS cursor to find the button. Third, I "tabbed"  
26 through the entire page to ascertain its location. Fourth, I refreshed the page to see if the button  
27 had loaded in the first place.

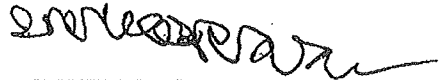
- 1 20. Target.com made me feel very frustrated.
- 2 21. Target's web site did not treat me the same as it treated sighted individual.
- 3 22. Lack of access to Target.com compromised my independence and forced me to rely on
- 4 others.
- 5 23. My hope is that Target will make and keep its website fully and easily accessible for the
- 6 blind so that I can shop the website just as sighted people do.

7

8 I declare under penalty of perjury under the laws of the United States of America that the

9 forgoing is true and correct.

10 Executed this December day of \_\_\_\_, 2006, at Minneapolis, Minnesota.

11 

12 \_\_\_\_\_

13 JENNIFER DUNNAM

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 15 2001 CENTER STREET, THIRD FLOOR  
 16 BERKELEY, CALIFORNIA 94704-1204  
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# **EXHIBIT H**

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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

20 NATIONAL FEDERATION OF THE  
21 BLIND, the NATIONAL FEDERATION OF  
22 THE BLIND OF CALIFORNIA, on behalf of  
their members, and Bruce F. Sexton, on behalf  
23 of himself and all others similarly situated,

24 Plaintiffs,

25 v.

26 TARGET CORPORATION,  
27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF ANIL LEWIS IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Anil Lewis, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4  
5 Background

6 2. My name is Anil Lewis, and I was born June 4, 1964.

7 3. I have been legally blind since 1989 due to retinitis pigmentosa.

8 4. My primary residence is in Atlanta, Georgia.

9 5. I am director of the Visionary Center, an advocacy training organization for blind people.

10 6. I have been a member of the National Federation of the Blind since 1992. I have been  
11 president of the National Federation of the Blind of Georgia since 2002. I also serve on the NFB  
12 national board.

13  
14 Computer and Internet Use

15 7. I am a proficient computer user. I have used computers since I was in high school in  
16 1978. I received my bachelor's degree in Business Administration with an emphasis in Computer  
17 Information Systems. I have also taught computer assistive technologies to the blind at the  
18 Center for the Visually Impaired.

19 8. I have used the Internet since 1991. I use the Internet in order to manage my finances  
20 with online banking, shop, conduct research, send and receive e-mail, and read the news, among  
21 other tasks.

22 9. I have used JAWS screen-reading software since 1990. Screen-reading software is the  
23 primary reason that I remain in my profession. It gives me the ability to perform a wide variety  
24 of functions confidently and independently. Moreover, it allows me to thrive in educational  
25 environments. I used this software while I received my bachelor's degree and while I earned my  
26 master's degree in Public Administration.

27  
28



1 10. When web sites are properly coded, I can use them. I regularly use the web pages of the  
2 National Federation of the Blind, Google, Bank of America, Georgia State University, and Zifty,  
3 a personal shopping service. When compared to the accessibility of other web pages I use,  
4 Target.com is very poor since I cannot fulfill the primary function of purchasing goods.

5  
6 **Experience with Target Retail Stores**

7 11. My family, friends, and I use Target stores. I like Target Retail Stores because I see these  
8 them as a broad shopping "one-stop-shops." I like Target products because I believe they are  
9 good quality and affordable.

10 12. It is inconvenient for me to travel to a physical Target store. It costs a minimum of thirty  
11 dollars to hire a driver to make the round-trip journey. If I need a limited number of items and  
12 ask the driver to wait, the meter continues to run and the cost is even greater.

13  
14 **Harms Experienced Because of the Inaccessibility of Target.com**

15 13. I prefer to shop online because shopping in a physical store involves many challenges. As  
16 a blind person, I find traveling to the store and using customer service to help me navigate the  
17 store inconvenient. Using a driver can be expensive and time consuming. Customer service  
18 personnel often do not like to read aloud the details of each product that interests me.

19 14. At the same time, there are instances when I cannot afford to wait for the product to be  
20 delivered. At these moments, I need to be educated about what is available in physical stores so  
21 that I can go to there and give the customer service attendant the title and description of what I  
22 want in order to purchase this item quickly and efficiently. For example, in September 2006, I  
23 wanted to buy a robot for my son from the Sharper Image for his birthday. By searching for the  
24 item beforehand online, I was able to be more clear and efficient when I visited the physical  
25 store. If Target.com was more accessible to me, I believe my experience at physical Target stores  
26 would be greatly improved in a similar way. As such, if Target.com were easily accessible, I  
27 would definitely use it in connection with my future visits to Target's retail stores.

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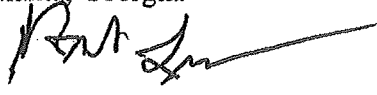
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- 1 15. I would like to shop at Target.com to make use of the site's sales.
- 2 16. I attempted to use Target.com twice on December 14, 2006. I was focused on purchasing
- 3 a single product, and I spent forty five minutes attempting to purchase it.
- 4 17. During this attempt, I sought to purchase the Chronicles of Narnia, a four disc DVD set,
- 5 for my son for Christmas. It is difficult for me to be a blind parent of a sighted child, especially
- 6 since I am on a fixed income. I wanted to make sure my son had a Christmas that he would
- 7 enjoy. I knew that this purchase would help me provide my son the enjoyment I wanted to
- 8 provide him during the holidays. Through a television commercial, I knew this product was on
- 9 sale at Target, and I found out that this sale also extended to Target.com by word of mouth.
- 10 18. Forms where I was expected to provide personal data were unaccompanied by labels
- 11 indicating the type of information needed.
- 12 19. Target.com did not use headings so that I could skim the contents of its web pages. The
- 13 subheadings on each page I visited were not labeled as such. As a result, I would often confuse
- 14 web page text with these headings, and I was unable to navigate the page efficiently. I would
- 15 liken my use of Target.com to a sighted person attempting to use a phone book with names that
- 16 are not listed in alphabetical order. Since the site was functionally inaccessible in this way, I
- 17 decided to use the search function to find the Chronicles of Narnia.
- 18 20. I was unable to use the Continue to Checkout button. I unsuccessfully clicked on this
- 19 button with three different methods. I used the space bar, enter key, and the JAWS cursor in
- 20 attempts to use the button. After each attempt, I was brought back to the same page.
- 21 21. Given my desire to give my son an ideal Christmas, Target.com made me feel extremely
- 22 angry, frustrated, and upset.
- 23 22. Target's web site did not treat me the same as it treated a sighted individual.
- 24 23. Lack of access to Target.com compromised my independence.
- 25 24. It is my hope that Target will make and keep its website fully and easily accessible for
- 26 the blind so that I can shop the website just as sighted people do.
- 27
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I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

Executed this January day of 19, 2007, at Atlanta, Georgia.



ANIL LEWIS

DISABILITY RIGHTS ADVOCATES  
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# EXHIBIT I

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rheller@dralegal.org  
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15  
16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

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

24 Plaintiffs,

25 v.

26 TARGET CORPORATION,  
27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF LISAMARIA  
MARTINEZ IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION

1 I, Lisamaria Martinez, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4  
5 **Background**

6 2. My name is Lisamaria Martinez, and I am twenty five years old.

7 3. I have been legally blind for over twenty years. My blindness resulted from Steven  
8 Johnson syndrome.

9 4. I finished a graduate program in educational psychology, and I am currently looking for a  
10 job.

11 5. My primary residence is in San Leandro, California.

12 6. I have been a member of the National Federation of the Blind since 1988.

13  
14 **Computer and Internet Use**

15 7. I have been using computers since 1987. I believe I am a proficient computer user  
16 because I can use most programs and access most Internet web pages.

17 8. I have accessed the Internet since 1999. I use the Internet to do research, shop at grocery  
18 and convenience stores, communicate via e-mail, access news sites, use search engines, chat,  
19 among other tasks.

20 9. For the last year, I have used JAWS screen-reading software. Before then, I used  
21 Window Eyes screen-reading software for six years. When I accessed Target.com, I had been  
22 using Window Eyes for about five years. Before I used these programs, either I had someone  
23 help me or I used a program called Outspoken to read computer text out loud to me.

24 10. Screen-reading software has made me a much more independent person. I would not be  
25 able to use the Internet now were it not for this software. It has made it so that I do not have to  
26 rely on others nearly as much as I had to in the past.

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1 11. If a web page is tagged and labeled, then I am generally able to access its content. I  
2 regularly used the web pages of Blackboard, Google, my school, and Barnes and Noble. When I  
3 think of how it compares to other web pages I have used, I believe Target.com is among the least  
4 accessible.

5  
6 **Experience with Target Retail Stores**

7 12. I like Target Retail Stores because their products are affordable and of good quality. I  
8 prefer their clothing and their household products to those of other stores. My friends and family  
9 also use Target stores.

10  
11 **Harms Experienced Because of the Inaccessibility of Target.com**

12 13. It is inconvenient for me to shop at a physical Target store. This arises from the fact that I  
13 rely on others for transportation and browsing and thus depend on another's schedule. Otherwise,  
14 I must rely on public transportation which is troublesome. Commuting to Target often requires  
15 more than two hours of time. Given my visual impairment, it can be very difficult to transport  
16 my items onto buses or the subway system.

17 14. I prefer to shop online. I often find that the customer service at grocery or retail stores do  
18 not fully understand my needs. Shopping online allows me to browse items more thoroughly so  
19 that I can be more efficient when I visit a physical store to actually examine or try on items. I  
20 would like to use Target.com to make use of online sales and coupons.

21 15. I have attempted to use Target.com about ten times. I last used the web site in roughly  
22 March 2005. The first time I used Target.com, I spent one hour attempting to buy a bracelet for a  
23 breast cancer research fundraiser. I failed in this effort.

24 16. I found that inexplicable code and garbled text prevented me from navigating the site.

25 17. Target.com contained links and images without labels about what they were or what they  
26 did. Products were described by odd numbers and letters rather than by words.

27  
28



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- 1 18. Target.com did not make use proper use of headings so that I could skim the contents of
- 2 the web page.
- 3 19. I could not locate the "Continue to Checkout" button with the JAWS function used to
- 4 find such buttons.
- 5 20. When I attempted to use Target.com, I felt extremely frustrated and annoyed.
- 6 21. Target does not treat me the same as it treats sighted individuals because I cannot fully
- 7 use its web site.
- 8 22. The lack of access on Target.com compromised my independence and forced me to rely
- 9 on others.
- 10 23. My hope is that Target will make and keep its website fully and easily accessible for the
- 11 blind so that I can shop the website just as sighted people do.

12  
13 I declare under penalty of perjury under the laws of the United States of America that the  
14 forgoing is true and correct.

15  
16 Executed this December day of 31, 2006, at San Leandro, California.

17  
18   
LISAMARIA MARTINEZ



# EXHIBIT J

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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

20 NATIONAL FEDERATION OF THE  
21 BLIND, the NATIONAL FEDERATION OF  
22 THE BLIND OF CALIFORNIA, on behalf of  
23 their members, and Bruce F. Sexton, on behalf  
of himself and all others similarly situated,

24 Plaintiffs,

25 v.

26 TARGET CORPORATION,  
27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF ELIZABETH  
MCNALLY IN SUPPORT OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION

1 I, Elizabeth McNally, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4 **Background**

5 2. My name is Elizabeth Helene McNally, and I was born February 24, 1943.

6 3. I have been totally blind since 1980 and legally blind since birth.

7 4. I am a retired rehabilitation teacher. I am currently an unpaid advocate for people with  
8 disabilities. I am chairman of the Miami Dade County Commission on the Disability Issues as  
9 well as the president of Miami Dade chapter of the National Federation of the Blind.

10 5. My primary residence is in North Miami Beach, Florida.

11 6. I have been a member of the National Federation of the Blind since 1968.

12 **Computer and Internet Use**

13 7. I have used computers for over ten years, and I believe I am a proficient computer user.

14 8. I have used the Internet for eight years for shopping, research, personal enjoyment, and e-  
15 mail, among other tasks.

16 9. I have used JAWS screen-reading software since 1995. Screen-reading software has  
17 impacted my independence dramatically. Before such programs, I used a type-writer, and I did  
18 not use computers.

19 10. When web sites are properly coded, I can generally use them. I regularly use the web  
20 pages of PulseTV, Channel 10, Social Security, the AMC channel, and Grocery Taxi.com. The  
21 vast majority of web pages I have used are more accessible than Target.com.

22 **Experience with Target Retail Stores**

23 11. I purchase products in Target retail stores. I like the products and merchandise sold at  
24 Target. However, there is no Target store that I can access by bus. To go to a Target store, I  
25 would need special transportation, such as paratransit. The problem with paratransit is that they  
26 only allow two bags back on this service.

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**Harms Experienced Because of the Inaccessibility of Target.com**

12. I like to shop online when I am looking for bulkier, heavier products. Shipping makes receiving these items much more convenient. I also like that shopping online is much more efficient.

13. I would like to shop at Target.com so that I can buy Target products and make use of the store's reasonable prices. Moreover, I would like to purchase a specific type of cookie that Target sells, Keebler Danish Wedding Cookies, which local grocery stores do not carry. However, if Target.com were easily accessible, I would also definitely use it in connection with my future visits to Target's retail stores.

14. I have attempted to use Target.com roughly eight to ten times between Spring 2005 and June 2006. A persistent person, I spent one and a half hours the last time I was on the site.

15. Target's web page made me feel frustrated and a little bit angry. I would even say that I felt violated to a certain degree.

16. Inexplicable code and garbled text prevented me from navigating the site.

17. Target's web page contained links and images that did not have labels about what they were or what they did. I had trouble accessing descriptive information on items.

18. Target.com did not use headings so that I could skim the contents of the site.

19. Though I applied numerous techniques to do so, I was unable to use the Continue to Checkout button. For instance, I tried to use the JAWS cursor, the enter key, and the space bar key, but these methods were insufficient.

20. I feel that Target.com does not treat me the same as a sighted individual because I cannot use the site.

21. Lack of access to Target.com compromised my independence and forced me to rely on others.

22. It is my hope is that Target will make and keep its website fully and easily accessible for the blind so that I can shop the website just as sighted people do.

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

Executed this December day of 15, 2006, at North Miami Beach, Florida.

  
ELIZABETH MCNALLY

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# EXHIBIT K

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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

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

24 Plaintiffs,

25 v.

26 TARGET CORPORATION,  
27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF MARIA MORAIS IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION

28

1 I, Maria Morais, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify, I  
3 could testify competently to the facts described in this declaration.

4  
5 **Background**

6 2. My name is Maria Ernestina Morais. I was born February 1, 1966.

7 3. I have no functional vision. I was born with low vision, but I have lost my sight due a  
8 progressive eye condition. I have been legally blind since I was ten years old.

9 4. I am a homemaker.

10 5. I reside in Ruston, Louisiana.

11 6. I have been a member of the National Federation of the Blind since 1986.

12  
13 **Computer and Internet Use**

14 7. I have used computers since 1988, and I would say I am an average computer user.

15 8. I have accessed the Internet since 2000. I use it everyday. I use it to purchase products  
16 online, send and receive e-mail, research information (such as how to fix my house), keep up  
17 with the news, among other tasks.

18 9. I have used JAWS screen-reading software since 1993. Screen-reading software has  
19 enabled me to access information that I could not otherwise obtain without it. Before I used  
20 JAWS, I used other screen-reading software.

21 10. When web sites are properly coded, I can use them. I regularly use the web sites of  
22 Google, my local newspaper, and Lowes. I believe the vast majority of web pages are more  
23 accessible than that of Target.

24  
25 **Experience with Target Retail Stores**

26 11. I shop at Target stores. I like their merchandise. I think they have a nice variety of high  
27 quality products which are available at affordable prices. We do not have a Target store in my  
28

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1 town. My friends and family shop at Target stores in other locations.

3 **Harms Experienced Because of the Inaccessibility of Target.com**

4 12. I prefer to shop in online stores for household appliances because transportation no  
5 longer becomes an issue and descriptions for these products are reliable and accurate. I also like  
6 to use online stores to get a preview of products available in the physical store.

7 13. I would like to shop at Target.com because we do not have a local Target store. Since my  
8 husband and I are both blind, it is very inconvenient for me to travel to a physical Target store. I  
9 would have to travel 60-70 miles round trip if I wanted to purchase their products. Moreover,  
10 there is no public transportation, and I would need to hire a driver. I estimate this would cost  
11 roughly \$30. This expense discourages me from visiting Target. Despite these difficulties, if  
12 Target.com were easily accessible, I would definitely use it in connection with my future visits to  
13 Target's retail stores. Secondly, many people I know have had their baby shower registries  
14 through Target.com, and I would like to purchase gifts through the site.

15 14. I used Target.com twice in June 2006. I spent only 10 minutes on the site because I  
16 essentially found the site totally inaccessible.

17 15. When I first visited the site, I found that I could not access the Baby Shower registry on  
18 Target.com. I could only see the "Target" name on the page, but I could not get any other  
19 information by which to navigate the page.

20 16. Target.com had links and images without labels as to what they were or what they did.

21 17. It did not properly use headings so that I could skim the contents of its web pages.

22 18. I was unable to find products as well as find or use the button Continue to Checkout.

23 19. A few weeks ago, I heard about a talking crayon toy for my children, a product which  
24 was available on Target.com. To purchase the product, I resorted to giving my personal  
25 information, including my credit card information, to a friend so that she could process the order  
26 for me.

1 20. Target.com does not treat me the same as a sighted individual. My experience on the  
2 page has made me feel as if Target does not want my business. It is annoying and frustrating to  
3 find that an entire web site is inaccessible to me.

4 21. Lack of access on Target.com compromised my independence and forced me to rely on  
5 others.

6 22. It is my hope is that Target will make and keep its website fully and easily accessible for  
7 the blind so that I can shop the website just as sighted people do.

8  
9 I declare under penalty of perjury under the laws of the United States of America that the  
10 forgoing is true and correct.

11 Executed this December day of 14, 2006, at Ruston, Louisiana.

12  
13   
14 MARIA MORAIS

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# EXHIBIT L

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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

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

23  
24 Plaintiffs,

25 v.

26 TARGET CORPORATION,  
27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF OLGA PETERKIN  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
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1 I, Olga Peterkin, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4  
5 **Background**

6 2. My name is Olga Peterkin, and I was born March 16, 1964.

7 3. Due to glaucoma, I have been legally blind since birth.

8 4. I am a full-time mother. I work part-time for the Helping Hands program, which assists  
9 developmentally disabled adults.

10 5. My primary residence is in Orange, California.

11 6. I have been a member of the Orange County chapter of the National Federation of the  
12 Blind since September 2006.

13  
14 **Computer and Internet Use**

15 7. I have used computers since 1998. I believe I am a proficient computer user since I can  
16 use most software programs I need as well as access most web pages.

17 8. I have used the Internet since 2000. The Internet allows me to communicate via e-mail,  
18 research home-schooling resources for my children, browse products I want to buy, organize my  
19 finances with online banking, surf web sites for fun, among other tasks.

20 9. I have used JAWS screen-reading software since 1998. Screen-reading software makes  
21 me a much more independent person.

22 10. When web pages are properly coded, I can access them. I regularly use the web pages of  
23 MSN, XM radio, Google, CitiBank, and Washington Mutual. The majority of web sites I have  
24 used are much more accessible than Target.com.

25  
26 **Experience with Target Retail Stores**

27 11. I like purchasing particular products, such as soaps, shampoos, vitamins, over-the-counter  
28

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1 medicines, and other household products, at Target retail stores. I believe Target products are  
2 affordable. My family and friends use Target stores.

3  
4 **Harms Experienced Because of the Inaccessibility of Target.com**

5 12. I like to use online stores to get an idea of available products so that I can use my time  
6 more efficiently when I visit physical stores. I have previously sought out information regarding  
7 vitamins, books, and clocks in this manner.

8 13. Similarly, access to Target.com would allow me to preview products I can purchase at  
9 physical Target stores. It would also allow me to have big items shipped to me directly. These  
10 features are of particular importance to me since I am a blind individual.

11 14. It is somewhat inconvenient for me to travel to a physical Target store. I do not always  
12 have someone willing to drive me. Using the public bus, it takes about forty minutes to commute  
13 each way to Target. Due to my disability, it is difficult for me to carry products I purchase back  
14 with me.

15 15. I attempted to use Target.com twice. The last instance was in November 2005. I spent at  
16 least one hour trying to navigate the site and purchase products. I refrained from revisiting the  
17 site due to its inaccessibility.

18 16. I found inexplicable code and garbled text prevented me from fully navigating  
19 Target.com.

20 17. Target.com contained links and images without labels about what they were or what they  
21 did. Since I had to click on images to get to where I wanted to go, I found the site to be difficult  
22 to use.

23 18. Target.com did not have headings so that I could skim the page at hand.

24 19. I found that the Continue to Checkout button required mouse clicks so as to be  
25 inaccessible. I could not place my JAWS cursor on a location where I could click the button.  
26 Hence, I was unable to proceed with my purchase.

27 20. I would like to access wedding and baby shower registries on Target.com.

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21. Using Target.com made me frustrated and angry. I felt that Target did not care that blind people like me were struggling to use its web page.

22. The lack of access on Target.com compromised my independence and forced me to rely on others to shop.

23. My hope is that Target will make and keep its website fully and easily accessible for the blind so that I can shop the website just as sighted people do.

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

Executed this December day of 16, 2006, at Orange, California.

  
\_\_\_\_\_  
OLGA PETERKIN

# EXHIBIT M



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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

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

24 Plaintiffs,

25 v.

26 TARGET CORPORATION,  
27 Defendant.

Case No.: C 06-01802 MHP

CLASS ACTION

DECLARATION OF JOYCE PORTER IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION

DISABILITY RIGHTS ADVOCATES  
2001 CENTER STREET, THIRD FLOOR  
BERKELEY, CALIFORNIA 94704-1204  
510.665.8644

1 I, Joyce Porter, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4  
5 **Background**

6 2. My name is Joyce M. Porter. I was born September 28, 1939.

7 3. I have been totally blind since birth due to optic atrophy.

8 4. My primary residence is in Milton, West Virginia.

9 5. I work for Ebenezer Medical Outreach, a health care provider for the uninsured, as a  
10 grant specialist.

11 6. I have been a member of the National Federation of the Blind since 1960.

12  
13 **Computer and Internet Use**

14 7. I am a proficient user of computers. I have used computers since 1989.

15 8. I have accessed the Internet since 1998. The Internet plays a central role in my work as it  
16 allows me to do the research I need for my job. I also use the Internet to e-mail, shop, read news,  
17 and take care of my finances.

18 9. I have used JAWS screen-reading software since 1998. Screen-reading software has been  
19 the great equalizer in that it enables me to be a much more independent person. I would have  
20 more trouble doing my job and other important functions without such a program.

21 10. When web pages are properly coded, I can use them. I regularly use the web pages of  
22 Google, Monster.com, CNN, and Project Gutenberg. Target.com is not one of the more  
23 accessible sites.

24  
25 **Experience with Target Retail Stores**

26 11. My friends, family, and I go to Target stores. I like Target stores. I believe their products  
27 are of good quality and reasonably priced, such as their household items and linens. I have also

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1 found unique products at Target, such as a “pack-and-play” baby kit. My niece used a Target  
2 registry for her wedding.

3 **Harms Experienced Because of the Inaccessibility of Target.com**

4 12. The option to shop solely online would also be convenient to have if I am in rush and do  
5 not want to go outside. I would like to shop online so that I can preview products that are  
6 available in the physical store. If Target.com were easily accessible, I would definitely use it in  
7 connection with my future visits to Target’s retail stores.

8 13. I want to shop at Target.com because I think the site has good sales and coupons as well  
9 as a popular wedding registry.

10 14. I accessed Target.com three or four times between April 2005 and November 2006.  
11 During my last visit, I spent ninety minutes on the web site. I am a very persistent person; I  
12 would walk away from the computer and come back to it to make sure that I had not overlooked  
13 something.

14 15. As a kitchen enthusiast, I was using Target.com to search for cooking supplies and  
15 utensils. I was specifically searching for baking sheets and large cereal bowls.

16 16. Inexplicable code and garbled text prevented me from navigating the site. Target.com  
17 contained links and images without labels indicating what they were or what they did. Entire  
18 pages were filled with seemingly endless links without any indication of what they were. I also  
19 found myself confused by the site’s long lists of meaningless numbers.

20 17. Target.com had unlabelled forms that required me to input information. The site would  
21 often ask me to enter information, but I could not find any indication of the question.

22 18. Target.com did not have headings so I could skim the contents of the web page.

23 19. It was very frustrating to find the “Continue to Checkout” button. I had to ask a co-  
24 worker to click on the button for me. This was very frustrating because there were no  
25 instructions on how to use it.

26 20. Target.com made me feel utterly frustrated and disgusted.

27 21. Target did not treat me the same as it treated sighted people because I could not complete  
28

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1 a transaction by myself.

2 22. Lack of access to Target.com compromised my independence and forced me to rely on  
3 others for my shopping needs.

4 23. My hope is that Target will make and keep its website fully and easily accessible for the  
5 blind so that I can shop the website just as sighted people do.

6

7 I declare under penalty of perjury under the laws of the United States of America that the  
8 forgoing is true and correct.

9

Executed this January day of 10, 2007, at Milton, West Virginia.

10

11

  
\_\_\_\_\_  
JOYCE PORTER

12

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16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**  
18 **SAN FRANCISCO DIVISION**

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

24 Plaintiffs,

25 v.

26 **TARGET CORPORATION,**  
27 Defendant.

Case No.: C 06-01802 MHP

**CLASS ACTION**

**DECLARATION OF JUDITH SANDERS  
IN SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

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1 I, Judith Ann Sanders, declare as follows:

2 1. The facts in this declaration are based upon my personal knowledge. If called to testify,  
3 I could testify competently to the facts described in this declaration.

4  
5 **Background**

6 2. My name is Judith Ann Sanders, and I was born February 13, 1947.

7 3. I have been totally blind since birth.

8 4. I reside in Minneapolis, Minnesota.

9 5. I am currently job hunting.

10 6. I have been a member of the National Federation of the Blind since 1971.

11  
12 **Computer and Internet Use**

13 7. I have used computers since 1984. I would say that I am an intermediate user since I can  
14 access most web pages and use the computer programs I need.

15 8. I have accessed the Internet since 1995. I use the Internet to gather information (such as  
16 recipes), shop, conduct surveys, and send and receive e-mail, among other tasks.

17 9. I have used JAWS screen-reading software since the early 1990's. This software has  
18 enabled me to use computers without a human reader.

19 10. When web sites are properly coded, I can use them. I regularly use the web pages of  
20 Google, the National Federation of the Blind, and Sparks Radio. Most of the web pages I have  
21 come across are more accessible than Target.com.

22  
23 **Experience with Target Retail Stores**

24 11. My family, friends, and I use Target stores. I like Target Retail Stores because their  
25 customer service is excellent. They have a wide variety of products which they provide at  
26 affordable prices.

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Harms Experienced Because of the Inaccessibility of Target.com

12. I prefer to shop online for heavy products so that I can have these items shipped directly to my residence. I would like to use Target.com for this purpose as well as to make use of its weekly advertisements, recipes, and gift registry.

13. However, if Target.com were easily accessible, I would definitely use it in connection with my future visits to Target's retail stores. I would like to use the web site to preview and learn about products available in the physical store that I could then go and purchase in person.

14. I tried to use Target.com in August 2006 for fifteen minutes. I stopped using the web site soon after I determined that it was inaccessible.

15. I wanted to use Target.com to buy food products at the time.

16. Target.com contained links and images without labels as to what they were or what they did. Some of the links were labeled "button" without any indication as to where they led.

17. Target.com did not use headings in a way that allowed me to skim the contents of the web page.

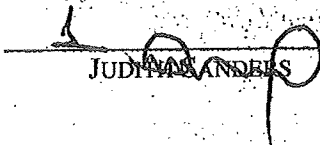
18. I was unable to find and use the Continue to Checkout button.

19. I felt Target.com did not treat me the same as it treated sighted individuals.

20. It is my hope is that Target will make and keep its website fully and easily accessible for the blind so that I can shop the website just as sighted people do.

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

Executed this January day of 19, 2007, at Minneapolis, Minnesota.

  
JUDITH SANDERS

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