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15  
 16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION  
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20 NATIONAL FEDERATION OF THE BLIND,  
 the NATIONAL FEDERATION OF THE  
 21 BLIND OF CALIFORNIA, on behalf of their  
 22 members, and Bruce F. Sexton, on behalf of  
 himself and all others similarly situated,

23 Plaintiffs,

24 v.

25 TARGET CORPORATION,

26 Defendant.  
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Case No. C06-01802 MHP

**DECLARATION OF JASON  
 WALBOURN IN SUPPORT OF  
 REQUEST TO FILE UNDER SEAL**

Judge: Hon. Marilyn Hall Patel

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I, Jason Walbourn, declare as follows:

1. I am an attorney for Target Corporation, the defendant in this matter.

2. I submit this Declaration in support of Plaintiffs' Administrative Motion To File Under Seal, filed on February 1, 2007, pursuant to Civil Local Rule 79-5. That motion seeks to have portions of two documents filed under seal: (1) Plaintiffs' Notice of Motion and Motion for Class Certification; Memorandum of Points and Authorities; and (2) Declaration of Laurence W. Paradis in Support of Plaintiffs' Motion for Class Certification.

3. The relevant portions of the two documents at issue contain confidential deposition testimony from Patricia Ann Perry, who testified as a representative of Target Corporation pursuant to Federal Rule of Civil Procedure 30(b)(6). Ms. Perry's testimony includes sensitive, non-public information, the disclosure of which could cause significant harm to Target Corporation. The testimony of Ms. Perry sought to be sealed contains confidential financial information, including budgets and projected revenues, as well as confidential information regarding Target's agreements with a nonparty, Amazon.com.

4. Accordingly, the portions of Plaintiffs' class certification motion and the Declaration of Laurence W. Paradis that contain Ms. Perry's confidential deposition testimony constitute sealable material within the meaning of Civil Local Rule 79-5(a).

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

Executed this 8th day of February 2007 in Minneapolis, Minnesota.

  
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Jason Walbourn  
TARGET CORPORATION