

EXHIBIT M

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15 Attorneys for Defendant
TARGET CORPORATION

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA

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

23 Plaintiffs,

24 v.

25 TARGET CORPORATION,

26 Defendant.

Case No. C06-01802 MHP

**DECLARATION OF CHRIS POLK IN
SUPPORT OF TARGET
CORPORATION'S OPPOSITION TO
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Date: July 24, 2006

Time: 2:00 p.m.

Judge: The Honorable Marilyn Hall Patel

DECLARATION OF CHRIS POLK

1
2 I, Chris Polk, have personal knowledge of the facts set forth below, and if called as a
3 witness, I could and would testify under oath to the following:

4 1. I am 32 years old, and live in Sacramento, California. I have been blind since
5 birth.

6 2. I am employed as the Network Administrator for Humanware USA, Inc., a
7 company that designs, manufactures and distributes Personal Digital Assistant products
8 (“PDA’s”) for the sight-impaired community. I have worked at Humanware for more than 2
9 years.

10 3. I have been using computers since the early 1990’s. I use various forms of
11 Assistive Technology, including JAWS For Windows, WindowEyes, and Speak Up. Assistive
12 Technology refers to the computer hardware and software that assists sight-impaired
13 individuals to access and use computers. Examples of Assistive Technology include computer
14 integrated Braille displays, scanning software, note takers and screen readers, such as JAWS
15 For Windows (“JAWS”). A screen reader is a software product that audibly reads the content
16 of a computer screen using a speech synthesizer.

17 4. On or about May 13, 2006, I accessed Target.com with the intention of
18 navigating the web site and purchasing merchandise. This was not my first visit to
19 Target.com. I have visited Target.com in the past to use the “Store Locator” function to find
20 the location of a Target retail store in my area, and to pre-shop for products and merchandise
21 before visiting a store.

22 5. I spent a little more than an hour on Target.com using both JAWS version 7.0
23 and WindowEyes to explore the various functions and features on the website. I was able to
24 access Target.com, navigate the various links on the site, and search for specific products. I
25 conducted searches on Target.com by category and department, and was able to find the
26 specific products I was searching for. In addition, I was able to review product descriptions,
27 verify prices, add my product selections to the Target.com virtual shopping cart, and remove
28

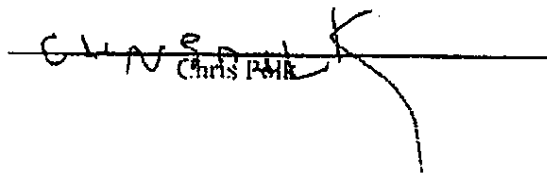
1 items from the shopping cart that I later chose not to purchase. I was also able to complete my
2 purchase using my credit card on Target.com's checkout page.

3 6. I had little or no difficulty navigating and using the features on the site. When I
4 did encounter an obstacle, or when a process was unclear, I was able to work around the
5 obstacle using my screen reader.

6 7. As a blind person, I enjoy Target.com because it allows me to view product
7 descriptions, and shop with a degree of privacy. I will use Target.com again. I would also
8 recommend Target.com to my sight-impaired friends as I believe the site is easy to use and
9 helpful.

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

12 Executed this 9th day of June 2006, at Sacramento, California.

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DECLARATION OF CHRIS POLK (Case No. 06-01802 MHP)

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