

# **EXHIBIT P**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL FEDERATION OF THE  
BLIND, THE NATIONAL FEDERATION  
OF THE BLIND OF CALIFORNIA,  
on behalf of their members,  
and BRUCE F. SEXTON, on  
behalf of himself and all  
others similarly situated,  
Plaintiffs,

COPY

vs. Case No. C06-01802 MHP  
TARGET CORPORATION,  
Defendants.

---

Deposition of  
MARC MAURER  
March 1, 2007

SHARI MOSS & ASSOCIATES  
Certified Shorthand Reporters  
877 Cowan Road, Suite A  
Burlingame, California 94010  
(415) 402-0004  
(650) 692-8900  
FAX: (415) 402-0005

Reported by:  
Alfred A. Betz, Realtime Court Reporter

1 BE IT REMEMBERED that, pursuant to the laws  
2 governing the taking and use of depositions, and on  
3 Thursday, March 1, 2007, commencing at 9:30 a.m.,  
4 thereof, at the Law Offices of Brown, Goldstein &  
5 Levy, 120 E. Baltimore Street, Suite 1700,  
6 Baltimore, Maryland 21202, before me, Alfred A.  
7 Betz, Real-time Court Reporter and Notary Public  
8 for the state of Maryland, personally appeared,

9 - - -

10

11 MARC MAURER

12 a witness, called for examination, having been  
13 first duly sworn, was examined and testified as  
14 follows:

15 EXAMINATION BY MS. PASZEK:

16 Q. My name is Kristina Paszek; I'm  
17 representing Target Corporation in this case.  
18 Could you please state your name for the record.

19 A. My name is Marc Maurer.

20 Q. Okay. Have you been deposed before, Dr.  
21 Maurer?

22 A. Yes.

23 Q. About how many times?

24 A. I don't know. Two or three, I guess.

25 Q. Okay. So you know how this goes a bit?

1 Now, since that time we have asked people  
2 in the organization if they had difficulty dealing  
3 with the Target site if they would provide that  
4 information to us, and we set up a place where  
5 people could talk about it with lawyers at our  
6 national convention. This occurred last summer we  
7 have also talked about it fairly extensively at the  
8 convention of the National Federation of the Blind  
9 for California, which I guess occurred last  
10 October. I'm not sure of the date.

11 Q. Okay. So, I'm sorry, just to clarify you  
12 said you think it was in October that the NFB  
13 California meeting took place and the national  
14 conference was, or convention, was when?

15 A. Last July.

16 ~~Q. July. I'm going to ask you about a~~  
17 ~~document which I'm going to give you a copy, I'll~~  
18 ~~give your attorney that copy here, Mr. Goldstein,~~  
19 ~~and one for the Court Reporter?~~

20 A. This is a print copy.

21 Q. This is a print copy. So I guess I will  
22 just read it for the record and for you.

23 A. I can read it if you want. That is, I  
24 brought technology so to do.

25 ~~Q. Oh! Okay~~

1 ~~Q. Of the nearly 20 folks that you talked to~~  
2 how many of them would you say said that they would  
3 contact the lawyers to discuss this?

4 A. 3-quarters.

5 Q. Did any of them, had those people already  
6 accessed Target.com at that time? Or attempted to  
7 access Target.com?

8 A. In many cases they would have. I talked  
9 to the folks who were computer savvy primarily or  
10 at least who I thought would be computer savvy and  
11 consequently it was a subject that was being  
12 discussed in the organization generally, and so it  
13 is likely that they would have.

14 Q. But did you ask them specifically if they  
15 had tried to access Target.com before?

16 A. No.

17 Q. Okay. Just jumping back to that July  
18 2006 convention when the announcement was made that  
19 there were people, that there were lawyers  
20 available to talk about the issue of Target.com's  
21 accessibility, about how many people was that  
22 announcement made to?

23 A. 1500.

24 Q. And how was it made?

25 A. I made it myself from a microphone on a

1 stage in the front of the room where there were  
2 1500 people present.

~~3 Q. Okay. What about the October 2006~~

4 California meeting; were you at that meeting?

5 A. I was.

6 Q. How was the announcement made there?

7 A. I made it myself. Now, the lawyers were  
8 also there, and I introduced them. Well, I  
9 introduced some of them.

10 Q. And how many people were in the audience  
11 when you made the announcement?

12 A. I didn't count them, but my guess would  
13 be about 85.

14 Q. I'm going to turn to one more document  
15 which I'm handing to you, and I'll take the other  
16 one back. And here's a copy for you, Mr.  
17 Goldstein. And if you could mark this Maurer  
18 Exhibit 3.

19 (Whereupon, Deposition Exhibit 3,  
20 E-mails, marked for identification.)

21 THE WITNESS: I didn't focus that quite  
22 right I can tell, but I get the gist of it.

23 MS. PASZEK: Okay.

24 MR. GOLDSTEIN: It being an e-mail string  
25 ~~it read it backwards.~~

1 State of Maryland,  
2 City of Baltimore, to wit:

3  
4 I, Alfred A. Betz, a Notary Public of the  
5 State of Maryland, City of Baltimore do hereby  
6 certify that the within-named witness personally  
7 appeared before me at the time and place herein set  
8 out, and after having been duly sworn by me,  
9 according to law, was examined by Counsel. I  
10 further certify that the examination was recorded  
11 stenographically by me and this transcript is a  
12 true record of the proceedings.

13 I further certify that I am not of  
14 Counsel to any of the parties, nor an employee of  
15 Counsel, nor related to any of the parties, nor in  
16 any way interested in the outcome of this action.

17 As witness my hand and Notarial Seal this  
18 5th day of March, 2007.

19  
20  
21 

22  
23 Alfred A. Betz, Notary Public

24  
25 My commission expires: 12/31/2007