

**Roman, Joanna (DEN)**

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**From:** Roman, Joanna (DEN)  
**Sent:** Wednesday, October 28, 2009 1:12 PM  
**To:** Donna Dell'Olio  
**Cc:** Esther Abramson; McKeivey, Liza (DEN); Lessmann, Ryan (DEN); Trujillo, Brenda (DEN)  
**Subject:** Gilman v. Target  
**Attachments:** Fifth Supplemental Rule 26 Disclosures.pdf; TARGET 208-223.pdf; TARGET 342-356.pdf  
**Categories:** Target/Gilman

Good Afternoon Ms. Dell'Olio:

Attached are Defendant's Fifth Supplemental Disclosures and the documents referenced therein. A copy of same will be placed in the US Mail. Please contact me if you have any difficulty opening the attached .pdfs.

Sincerely,

Joanna

Joanna Roman  
Sr. Litigation Paralegal  
Jackson Lewis LLP  
950 Seventeenth Street, Ste. 2600  
Denver, CO 80202

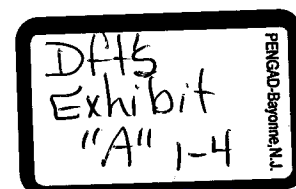
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00669-ZLW-KMT

DOUGLAS E. GILMAN,

Plaintiff,

v.

TARGET CORPORATION, a Minnesota Corporation,

Defendant.

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**DEFENDANT'S FIFTH SUPPLEMENTAL DISCLOSURES  
PURSUANT TO FED.R.CIV.P. 26(a)(1) AND (e)**

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Defendant Target Corporation ("Defendant"), through its undersigned attorneys, pursuant to Rule 26(a)(1) and (e) of the Federal Rules of Civil Procedure, makes the following supplemental disclosures.

**B. Fed. R. Civ. P. 26(a)(1)(A)(ii)**

The following categories of documents which are in Defendant's possession may be used by Defendant to support its claims or defenses, unless the use would be solely for impeachment. By making this disclosure, Defendant does not waive any objection to the relevance of any of the disclosed documents or any other appropriate objections, including without limitation attorney-client privilege or attorney work product. Defendant reserves the right to identify additional documents relevant to this case, including, but not limited to, all documents produced or identified by the Parties in discovery, all documents which are identified as exhibits to any deposition taken in this case, and all

documents necessary for impeachment, foundation or rebuttal. Defendant reserves the right to identify additional documents as privileged on the basis of the attorney-client privilege, work product or any other applicable privilege. Defendant will make these documents available for copying or inspection upon request.

1. Corrective Action Guide (TARGET 208-223, produced without redactions).
  2. Corrective Action Guide (TARGET 342-356, produced without redactions).
- Dated this 28<sup>th</sup> day of October, 2009.

JACKSON LEWIS LLP

s/ Ryan P. Lessmann

Liza S. McKelvey

Ryan P. Lessmann

Jackson Lewis LLP

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*ATTORNEYS FOR DEFENDANT  
TARGET CORPORATION*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 28th day of October, 2009, I caused a true and correct copy of the foregoing **FIFTH SUPPLEMENTAL DISCLOSURES PURSUANT TO FED.R.CIV.P. 26(a)(1) AND (e)** to be served via electronic mail, addressed to the following:

Donna Dell'Olio  
Cornish and Dell'Olio  
431 N. Cascade Avenue, Ste. 1  
Colorado Springs, CO 80903  
Email: [ddellolio@cornishanddellolio.com](mailto:ddellolio@cornishanddellolio.com)

s/ Joanna L. Roman \_\_\_\_\_  
for Jackson Lewis LLP