

Federal Court Issues Landmark Decision Certifying Nationwide Class Action Against Target Corporation to Make its Web Site Accessible to the Blind

San Francisco, California (October 2, 2007): A federal district court judge issued two landmark decisions today in a nationwide class action against Target Corporation. First, the court certified the case as a class action on behalf of blind Internet users throughout the country under the Americans With Disabilities Act (ADA). Second, the court held that Web sites such as target.com are required by California law to be accessible.

The President of the National Federation of the Blind, Dr. Marc Maurer, commented on the court's ruling: "This is a tremendous step forward for blind people throughout the country who for too long have been denied equal access to the Internet economy. All e-commerce businesses should take note of this decision and immediately take steps to open their doors to the blind."

Larry Paradis of Disability Rights Advocates, one of the lead counsel for the class, commented on the court's decision: "Target Corporation has led a battle against blind consumers in a key area of modern life: the Internet economy. The court's decision today makes clear that people with disabilities no longer can be treated as second-class citizens in any sphere of mainstream life. This ruling will benefit hundreds of thousands of Americans with disabilities."

The ruling was issued in a case brought by the National Federation of the Blind (NFB). The suit charges that Target failed and refused to make its Web site (www.target.com) accessible to the blind and, therefore, violated the ADA as well as two California civil rights statutes: the California Unruh Civil Rights Act and the California Disabled Persons Act.

The court granted the plaintiffs' motion to certify a nationwide class under the ADA for injunctive relief. The court also granted the plaintiffs' motion to certify a California subclass for both injunctive relief and statutory minimum damages. The court denied Target's motion for summary judgment.

The court certified, as counsel for the class, the following law firms: Disability Rights Advocates (www.dralegal.org), a Berkeley-based nonprofit law firm that specializes in high-impact cases on behalf of people with disabilities; Brown, Goldstein & Levy (www.browngold.com), a leading civil rights law firm in Baltimore, Maryland; Schneider & Wallace (www.schneiderwallace.com), a national plaintiffs' class action and civil rights law firm based in San Francisco, California; and Peter Blanck, chairman of the Burton Blatt Institute and university professor at Syracuse University (www.bbi.syr.edu).

Dan Goldstein of Brown, Goldstein & Levy noted that: "The blind of America seek only the same rights and opportunities as others take for granted. This case should be a wake-up call to all businesses that their services must be accessible to all."

Josh Konecky of Schneider & Wallace also noted: "This has been a hard-fought case addressing fundamental issues of access and equality. The judge's decision today is a great step forward."

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About the National Federation of the Blind

With more than 50,000 members, the National Federation of the Blind is the largest and most influential membership organization of blind people in the United States. The NFB improves blind people's lives through advocacy, education, research, technology, and programs encouraging independence and self-confidence. It is the leading force in the blindness field today and the voice of the nation's blind. In January 2004, the NFB opened the National Federation of the Blind Jernigan Institute, the first research and training center in the United States for the blind led by the blind.

Case Information

Case Name: *National Federation of the Blind, et al. v. Target Corporation, et al.*
Case No: C 06-1802 MHP
Court: U.S. District Court for the Northern District of California, The Honorable Marilyn Hall Patel presiding
Date Case Filed: February 7, 2006
Case Type: Class action lawsuit for injunctive relief, declaratory relief and damages
Claims: The Americans with Disabilities Act (42 U.S.C. § 12182); California Unruh Civil Rights Act (California Civil Code § 51); and California's Disabled Persons Act (California Civil Code § 54.1)