

**ATTENTION: LEGALLY BLIND INDIVIDUALS IN THE UNITED STATES WHO
HAVE ATTEMPTED TO VISIT TARGET.COM SINCE FEBRUARY 7, 2003**

YOU MAY HAVE A CLAIM UNDER THE SETTLEMENT DESCRIBED BELOW

READ THIS NOTICE AND FOLLOW THE INSTRUCTIONS CAREFULLY

BACKGROUND

This notice is to inform you of a class action settlement in the case of *National Federation of the Blind v. Target Corp.* (Case No. 06-01802 MHP), pending in the United States District Court for the Northern District of California before the Honorable Marilyn Hall Patel. The case was brought on behalf of legally blind individuals who have encountered access barriers on Target.com. It alleged that defendant Target Corporation (“Target”) violated U.S. and California law in designing and maintaining its website, Target.com (“the website”), such that blind visitors could not acquire the same information and engage in the same interactions as sighted visitors to the website. Target denies all liability and the case has been vigorously contested. On October 2, 2007, Judge Patel certified a nationwide class under the Americans with Disabilities Act and a California class for claims under two California civil rights statutes. This case has now settled. The Court has granted preliminary approval of the settlement and has scheduled a hearing on January 26, 2009 to determine whether to grant final approval.

SUMMARY OF THE CLASS ACTION SETTLEMENT

The class action settlement calls for Target to ensure that the Target.com website is accessible such that blind visitors to the website acquire the same information and engage in the same interactions with substantially equivalent ease of use as sighted visitors to the website. Pursuant to the settlement agreement, Target and the National Federation of the Blind (“NFB”) are working together to make the website accessible under that standard.

Under the settlement agreement, NFB and Target have specified testing protocols to be used by NFB to monitor the website’s continuing accessibility to blind visitors. The settlement allocates funds for NFB to monitor the website and notify Target if it identifies any concerns regarding the accessibility of the website. The settlement also allocates funds for NFB to provide periodic accessibility training to Target employees responsible for coding the website.

Additionally, the settlement includes a six million dollar (\$6,000,000) fund to be used to pay valid claims submitted by members of the damages subclass who are legally blind individuals in California who attempted to access the goods and services offered on Target.com with screen-reader software and encountered access barriers. Members of the damages subclass will be entitled to make up to two (2) claims, each worth \$3,500. If the total number of valid claims exceeds the settlement fund, each claim will be reduced pro rata. If there is money left over after payment of all valid claims, the left over funds will be donated to the Braille Institute of America and Recordings for the Blind and Dyslexic.

Finally, under the settlement, Class Counsel will ask the Court to award reasonable fees and costs in an amount up to \$ 4,636,000 for work on this case up to August 15, 2008, plus additional compensation for work after this date and for work relating to a fee motion. Such fees and costs are separate and apart from the class damages fund. Target does not dispute Class Counsel’s

right to recover reasonable fees and costs, but reserves the right to contest the amount of fees and costs sought.

OPTIONS FOR MEMBERS OF THE NATIONWIDE CLASS: If you are a legally blind individual who has attempted to access Target.com since February 7, 2003 you have two options concerning the settlement:

1. You may do nothing and be bound by the terms of the settlement; or
2. You may object to the settlement, in which case you must follow the procedures set forth below.

Please note that should the settlement be approved, all members of the nationwide class will be bound concerning the terms of the settlement relating to the accessibility of the website.

ADDITIONAL OPTIONS FOR CALIFORNIA CLASS MEMBERS: If you are a legally blind individual who at any time since February 7, 2003, attempted while in California to access the goods and services offered on Target.com with screen-reader software and encountered one or more barriers, you have both of the options set forth above and also the following options concerning the damages part of the settlement:

1. You may submit a claim for minimum statutory damages, valued at up to \$3,500 per each occasion when you attempted to access the goods and services offered on Target.com with screen-reader software and encountered one or more barriers. No more than two claims per person will be allowed (for a maximum award of \$7,000 per person).
2. You may opt out of the portion of the settlement involving claims for money damages by following procedures set forth below.

- **If you choose to submit a claim for damages, YOU MUST SUBMIT A CLAIM FORM.** You can get a claim form by visiting the Settlement Website located at www.nfbtargetlawsuit.com, or by requesting one from the Claims Administrator by phone, letter, fax, or email. The Claims Administrator can be reached at: **NFB v. Target Claims Administrator, RG/2 Claims Administration LLC**, P.O. Box 59479, Philadelphia, PA. 19102-9479. You may call the Claims Administrator at 1-866-742-4955. Please provide your name, address, and phone number when you contact the Claims Administrator. All claims must be submitted on line by January 8, 2009 or by mail postmarked no later than January 8, 2009. **LATE CLAIMS MAY BE DENIED.**

All questions should be directed to the Claims Administrator or class counsel. Please do not contact Target Corporation.

- **If you choose to object to the settlement, you must submit a written objection to the Clerk of the Court with copies to class counsel and to counsel for Target. The addresses of the Clerk of the Court, class counsel and counsel for Target are set forth below.** Your objection must be filed with or otherwise received by the Clerk of the Court no later than December 9, 2008. If you wish to appear and present your objection orally at the hearing on final approval of the settlement, you must so state in your written objection. Your written objection should include your name, address, and telephone number.

If you wish to opt out of the damages portion of the case, you must either:

1. Visit www.nfbtargetlawsuit.com and follow the instructions for completing and submitting an online Opt-Out Form; or
2. Send a completed Opt-Out Form or other written request to opt out of the damages portion of the case to the Claims Administrator at: RG2 Claims Administration, LLC P.O. Box 59479, Philadelphia, PA. 19102-9479. You may call the Claims Administrator at 1-866-742-4955 to obtain an Opt-Out Form or to request assistance in completing and submitting an Opt-Out Form.

All requests to opt out made through www.nfbtargetlawsuit.com or otherwise must be received by the Claims Administrator by December 9, 2008 to be effective.

Please note that should the settlement be approved all members of the California class who do not properly opt out will be bound concerning the terms of damages portion of the settlement.

FURTHER INFORMATION

If you want a copy of the proposed settlement agreement or related documents, you can find these documents online at www.nfbtargetlawsuit.com. You may also contact class counsel at the following addresses:

Larry Paradis
Disability Rights Advocates
2001 Center Street, Fourth Floor
Berkeley, CA 94704

Joshua Konecky
Schneider Wallace Cottrell Brayton
Konecky LLP
180 Montgomery Street, Suite 2000
San Francisco, CA 94104

Dan Goldstein
Brown Goldstein & Levy LLP
120 East Baltimore Street, Suite
1700
Baltimore, MD 21202

Counsel for Target may be contacted at the following address:

Matthew I. Kreeger
Kristina Paszek
Morrison & Foerster
425 Market Street
San Francisco, CA 94105

The Settlement Agreement and claim form documents are available from the Claims Administrator and class counsel in multiple accessible formats. Alternatively, you may inspect the Court's files during business hours at the office of the Clerk of the Court, United States District Court, 450 Golden Gate Avenue, in San Francisco, California, 94102. The case caption is *National Federation of the Blind v. Target Corp.* (Case No. 06-01802 MHP). Please do not call the Judge or the Court Clerk.