

EXHIBIT 6

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE PHYLLIS J. HAMILTON, JUDGE

ORACLE CORPORATION, ET AL.)	JURY TRIAL
)	
PLAINTIFFS,)	NO. C 07-01658 PJH
)	
VS.)	VOLUME 11
)	
SAP AG, ET AL.,)	PAGES 1880 - 2020
)	
DEFENDANTS.)	OAKLAND, CALIFORNIA
)	FRIDAY, NOVEMBER 19, 2010

CERTIFIED COPY

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

FOR PLAINTIFFS:

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1 AND COULD YOU PULL UP THE BOTTOM EMAIL THERE. THAT'S
2 FINE. PULL IT UP SO WE CAN SEE.

3 (EXHIBIT PUBLISHED TO JURY.)

4 **BY MS. HOUSE:**

5 **Q.** I'D LIKE TO READ THE DATE AT THE TOP. IT'S FROM (SIC) SHAI
6 AGASSI. IT SAYS TUESDAY DECEMBER 21ST, 2004. IT'S FROM JOHN
7 ZEPECKI, AND HE SAYS IN THE VERY FIRST SENTENCE, "WE ARE IN
8 DISCUSSIONS WITH TOMORROWNOW FOR AN IMMEDIATE ACQUISITION."

9 DO YOU SEE THAT?

10 **A.** YES.

11 **Q.** IS THAT BEFORE THE DATE OF THE \$897 MILLION PROJECTION THAT
12 WE'VE BEEN TALKING ABOUT?

13 **A.** SURE.

14 **Q.** OKAY.

15 FINALLY, IS THERE ANY DOUBT IN YOUR MIND THAT THE
16 FAIR AND REASONABLE DAMAGES AWARD IN THIS CASE IS AT LEAST
17 106 -- I'M SORRY. I'M SAYING IT WRONG -- IS AT LEAST
18 \$1.655 BILLION?

19 **A.** YEAH. IT'S AT LEAST THAT. IT'S -- IT'S AT LEAST THAT.
20 CLEARLY.

21 **MS. HOUSE:** THANK YOU.

22 **THE COURT:** MR. LANIER, ANYTHING ELSE?

23 **MR. LANIER:** NOPE.

24 **THE COURT:** ALL RIGHT. THANK YOU.

25 MS. CATZ, YOU MAY STEP DOWN.

CERTIFICATE OF REPORTER

WE, RAYNEE H. MERCADO AND DIANE E. SKILLMAN, OFFICIAL REPORTERS FOR THE UNITED STATES COURT, NORTHERN DISTRICT OF CALIFORNIA, HEREBY CERTIFY THAT THE FOREGOING PROCEEDINGS IN C07-01658PJH, ORACLE USA, INC., ET AL. V. SAP AG, ET AL., WERE REPORTED BY US ON, FRIDAY, NOVEMBER 19, 2010, CERTIFIED SHORTHAND REPORTERS, AND WERE THEREAFTER TRANSCRIBED UNDER OUR DIRECTION INTO TYPEWRITING; THAT THE FOREGOING IS A FULL, COMPLETE AND TRUE RECORD OF SAID PROCEEDINGS AS BOUND BY US AT THE TIME OF FILING.

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RAYNEE H. MERCADO, CSR, RMR, CRR, FCRR, CCRR



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SATURDAY, NOVEMBER 20, 2010