

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE CORPORATION, a)
Delaware corporation,)
ORACLE USA, INC., a)
Colorado corporation, and)
ORACLE INTERNATIONAL)
CORPORATION, a California)
corporation,)
)
Plaintiffs,)
)
vs.) No. 07-CV-1658 (PJH)
)
SAP AG, a German)
corporation, SAP AMERICA,)
INC., a Delaware)
corporation, TOMORROWNOW,)
INC., a Texas corporation,)
and DOES 1-50, inclusive,)
)
Defendants.)
_____)

VIDEOTAPED DEPOSITION OF
KEVIN MANDIA

VOLUME 1; PAGES 1 - 290

THURSDAY, MAY 20, 2010

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

REPORTED BY: HOLLY THUMAN, CSR No. 6834, RMR, CRR

(1-427382)

09:30:49 16 Q. Okay. What's the total amount of money
09:30:56 17 that your company has billed Oracle for for your
09:31:02 18 services and the services of the employees of your
09:31:04 19 company as of today?
09:31:06 20 A. In total?
09:31:07 21 Q. Yes.
09:31:09 22 A. I don't have the exact number in front of
09:31:11 23 me. Would you like an estimate?
09:31:13 24 Q. Please.
09:31:35 25 A. I'd like to caveat my answer with, I

09:31:37 1 really don't know my margin of error here, and I'm
09:31:40 2 absolutely speculating.

09:31:45 3 I would estimate in the ballpark of
09:31:47 4 between 3 million and 4 million dollars.

09:31:50 5 Q. Okay. You think the 3 million is a low
09:31:58 6 end of your speculation?

09:32:01 7 A. It may be lower.

09:32:02 8 Q. Okay. But it could be higher than 4?

09:32:08 9 A. It could be higher than 4.

18:20:33 1 another call in potentially January of 2010.

18:20:39 2 Q. Okay. This may be the last question of
18:20:41 3 the day, because Ted's going to shut me down if
18:20:45 4 it's not.

18:20:47 5 What was the subject matter that you
18:20:49 6 recall discussing with Ms. Ishiguro? What's her
18:20:52 7 area of specialty?

18:21:04 8 A. The best I can recollect, we discussed
18:21:06 9 with her PeopleSoft schema, PeopleSoft databases.

18:21:17 10 MR. COWAN: I think that's all we have for
18:21:19 11 today. We'll continue your deposition tomorrow
18:21:22 12 morning, as per the agreement of the parties.

18:21:26 13 THE VIDEO OPERATOR: Going off the record,
18:21:26 14 the time now is 6:21. This also is the conclusion
18:21:31 15 of Tape 5.

18:21:32 16 (Time noted, 6:21 p.m.)

18:21:39 17 ---o0o---

18:21:39 18 I declare under penalty of perjury that
18:21:39 19 the foregoing is true and correct. Subscribed at
18:21:39 20 Exton, PA, ~~California~~, this 6 day of
18:21:39 21 JULY 2010.

18:21:39 22

18:21:39 23

18:21:39 24

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KEVIN MANDIA