

EXHIBIT 2

TEXT REMOVED - NOT RELEVANT TO MOTION

42 **138:14 -140:17** Jones, Juan 2009-04-24 00:03:02 00:31:25 00:14:44

138:14 Q. And what do you mean when you were saying

138:15 that -- I guess here, "F Seth and his Rickety

138:16 Street, which has yet to be paved"? What does that

138:17 mean?

138:18 A. That's just a comment on the -- Rimini

138:19 Street's the name of the company. The street -- the

138:20 company is new. And it's just a spin on --

138:21 "Street...has yet to be paved"; in other words, a

138:22 viable street that one might drive down.

Link > A374.1.3 138:23 Q. Turning to the top of page -- page 1 of

138:24 Exhibit 374, you wrote, "Let's ensure we don't

138:25 overreact to these gnats." Do you see that?

139:1 A. Yes, I do.

139:2 Q. What were you referring to by the term

139:3 "gnats"?

139:4 A. I was referring to the third-party support

139:5 providers like Tomorrow -- like TomorrowNow or

139:6 Rimini Street.

Link > A374.3.2 139:7 Q. Staying with Exhibit 374, would you turn to

139:8 the third page, please, which ends in the Bates

139:9 numbers 010.

139:10 A. Yes.

139:11 Q. I want to turn your attention to the second

139:12 paragraph there. Did you have a chance to read that

139:13 while you were looking over the document?

139:14 A. I had a chance to peruse it, yes.

139:15 Q. There you were giving some analysis about

139:16 SAP's Safe Passage marketing program; is that

139:17 correct?

139:18 A. I commented on it, yes.

139:19 Q. Can you tell me the gist of the point you

139:20 were trying to make there?

139:21 A. The point I was trying to make was that

139:22 sometimes I feel that marketers spin something that

139:23 sounds catchy, yet it's not quite clear in terms of

139:24 exactly the process for that catchy thing to

139:25 actually materialize and happen.

140:1 Q. Do you think that's ever happened in the

140:2 marketing world before?

140:3 A. I even gave some illustrations of it
 140:4 happening.
 140:5 Q. Yeah, you did.
 140:6 So is one of the things you were saying
 140:7 essentially that changing an enterprise software
 140:8 package for a company is -- is not a trivial thing,
 140:9 to, say, change from Oracle software to SAP
 140:10 software?
 140:11 A. That's correct.
 140:12 Q. And were you also saying that it's a bit
 140:13 fanciful to think that a company would make a major
 140:14 decision like that just because the company was able
 140:15 to save some support dollars for a couple years by
 140:16 using a third-party support maintenance
 140:17 organization?

43 **140:21 -141:9** Jones, Juan 2009-04-24 00:00:51 00:34:27 00:11:42

140:21 Q. Well, I'm going for kind of the gist of
 140:22 your point, Mr. Jones.
 140:23 A. You know, the gist of my point is that it
 140:24 is just a -- it's a large endeavor for a business to
 140:25 change its ERP package from whatever the existing
 141:1 one may be to another one.
 141:2 Q. But -- but you were talking about that in
 141:3 the context of this third-party support issue as
 141:4 well, right, and saying that basically you thought
 141:5 it was silly to suggest that IT managers or
 141:6 companies were going to realistically change their
 141:7 enterprise software because they were getting some
 141:8 saving -- short-term savings on maintenance; isn't
 141:9 that right?

44 **141:12 -141:25** Jones, Juan 2009-04-24 00:00:50 00:35:18 00:10:51

141:12 THE WITNESS: I mean, you know, what --
 141:13 what -- what I'm saying here -- what I was saying is
 141:14 that the idea of -- it's a lot more than just
 141:15 some -- some savings in the actual support.
 141:16 BY MR. McDONELL:
 141:17 Q. And that's the example you try to kind of
 141:18 walk through here on what's now page 3 of Deposition
 141:19 Exhibit 374?
 141:20 A. I --
 141:21 Q. Is one example?
 141:22 A. Yes, I gave an -- I gave an example of this
 141:23 notion of being able to accumulate annual savings on
 141:24 support and then apply them towards a massive
 141:25 implementation of a new ERP.

45 **142:1 -142:25** Jone , Juan 2009 04 24 00 01 44 00 36 08 00 10 01

[Link > A374.3.1](#) 142:1 Q. At the bottom of the third page of Exhibit

 142:2 19, the second-to-last paragraph, you reference the

 142:3 CEO of SAP. Do you see that?

 142:4 A. Yes, I do.

 142:5 Q. And you quote him as saying, "Migrating an

 142:6 application involves some expense; you don't just

 142:7 decide it overnight and the next day you spend the

 142:8 millions.' That's right. It takes millions. The

 142:9 customer has to 'spend the millions.' And it's

 142:10 fraught with business disruption and risk!"

 142:11 Do you see that?

 142:12 A. Yes, I do.

 142:13 Q. In your experience, do you agree with those

 142:14 observations?

 142:15 A. I agree that it -- it is a very significant

 142:16 undertaking for a customer to migrate off of one

 142:17 application and onto another application platform,

 142:18 and in renewing support agreements, given that that

 142:19 customer is on an application platform, given that

 142:20 that customer is on Oracle, what I suggest to that

 142:21 customer is that it's much easier to continue to

 142:22 upgrade the software and consume the enhancements

 142:23 that add business value to them, that minimizes

 142:24 risk, that lowers cost of ownership, and that they

[Link > Hide](#) 142:25 should continue to do that instead.

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