

# **EXHIBIT A**

**Alinder, Zachary J.**

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**From:** Jane L Froyd [jfroyd@JonesDay.com]  
**Sent:** Friday, December 17, 2010 10:41 AM  
**To:** Howard, Geoff; Hann, Bree; Pickett, Donn; 'Fred Norton'; Hinman, Frank; House, Holly; 'Steven Holtzman'; Alinder, Zachary J.  
**Cc:** Greg Lanier; Scott Cowan; Gregory Castanias; Jason McDonell; Joshua L Fuchs; Elaine Wallace  
**Subject:** Oracle v. SAP - Staying Execution of Judgment

Counsel,

Immediately upon entry of judgment, Defendants plan to move the Court for a stay of execution on the judgment through the post-judgment motion time period, as well as to set a form of security through the appeal. Defendants are considering several forms of security and prefer an escrow account for the full amount of judgment (1.3B) plus post-judgment interest for a two-year period (which we believe is a conservative estimate of the appeal time-period). Currently this equals \$1,307,550,933.00 (based on a .29% interest rate). Please let us know whether Plaintiffs are willing to stipulate to this stay, to the contemplated forms of security and to the amount (including agreeing not to execute on the judgment after the expiration of the automatic 14-day stay period per FRCP 62(a), should Judge Hamilton not rule on this motion during that time period). If so, we will file a Stipulated Motion for Stay/Approval of the Security.

In the event that Plaintiffs are unwilling to agree, Defendants will, immediately upon entry of judgment, file an opposed motion. Defendants wish that the Court rule on this motion within the 14-day automatic stay period. Would Plaintiffs be willing to stipulate to a request to shorten the time for the motion to be heard? If so, and the need arises, we will prepare a stipulation for your review. If not, we will file a Motion to Change Time per Local Rule 6-3, noting Defendants' efforts to obtain a stipulation to the time change.

We invite you to meet and confer with us on any of these issues, and ask that you let us know your availability for early next week.

Regards,

Jane

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