

EXHIBIT E

Alinder, Zachary J.

From: Jacqueline K. S. Lee [jkslee@JonesDay.com]
Sent: Thursday, March 24, 2011 11:27 AM
To: Alinder, Zachary J.
Cc: Nelson, Daniel A.; 'Gregory Castanias'; Howard, Geoff; 'Jane L Froyd'; 'Kenneth J. Krupsky'; Schnall, Matthew D.; 'Nicole Massey'; 'Rachel L. Rawson'; Brundage, Robert A.; Jason McDonell
Subject: RE: Oracle v SAP -- Follow up wrt Revised Draft Agreement

Zac,

Contrary to your assertion, this is not a "reversal" of Defendants' position; both Plaintiffs and Defendants have made clear at each meet and confer that the proposals discussed have been and are subject to client approval - a point that both parties emphasized in light of the complexity of these issues. Although Defendants have been and remain ready and willing to continue discussing these issues, given the late hour, we cannot rely on the Court having the opportunity to review and sign an order extending the stay before the close of business today. (We also note that Plaintiffs rejected Defendants' proposal earlier this week to submit a request in advance of the expiration of the current stay that the Court extend the stay to permit the parties to continue their negotiations.) Thus, in view of the Court-ordered deadline, Defendants must file their Rule 62 motion today, contested or not, to preserve their rights. However, Defendants remain open to continuing to discuss these issues with Oracle after the filing of the motion in the hope of resolving this matter without the Court's intervention.

Regards,

Jaci

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 Date: 03/24/2011 10:31 AM
 Subject: RE: Oracle v SAP -- Follow up wrt Revised Draft Agreement

Rachel,

This is a significant reversal from the Parties' numerous recent meet and confers and the language that both sides have negotiated over the past week. Given the serious and potentially enormous tax consequences, this will require detailed review at many levels. We will not likely be able to get all of the necessary parties to review and consider this change, let alone approve it, in the time we have left. In light of this significant change in SAP's position, and given the late hour of the proposed change, Oracle will agree to extend the temporary stay and the

4/13/2011

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