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 TOMORROWNOW, INC.
 18

19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 OAKLAND DIVISION

22 ORACLE USA, INC., et al.,
 23 Plaintiffs,
 24 v.
 25 SAP AG, et al.,
 26 Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DECLARATION OF JANE L. FROYD
 IN SUPPORT OF DEFENDANTS'
 MOTION FOR APPROVAL OF
 SECURITY PURSUANT TO RULE 62
 OF THE FEDERAL RULES OF CIVIL
 PROCEDURE**

Date: June 29, 2011
 Time: 9:00 a.m.
 Courtroom: 3, 3rd Floor
 Judge: Hon. Phyllis J. Hamilton

1 I, JANE L. FROYD, declare as follows:

2 I am a partner in the law firm of Jones Day, 1755 Embarcadero Road, Palo Alto,
3 California 94303, and counsel of record for Defendants SAP AG, SAP America, Inc., and
4 TomorrowNow, Inc. (“Defendants”) in the above-captioned matter. I am a member in good
5 standing of the state bar of California and admitted to practice before this Court. I make this
6 declaration based on personal knowledge and, if called upon to do so, could testify competently
7 thereto.

8 1. Attached as **Exhibit 1** is a true and correct copy of the supersedeas bond in the
9 amount of \$1,325,033,547.00, obtained by Defendants as security to stay execution of final
10 judgment, entered on February 3, 2011 (ECF No. 1036), pending disposition of post-judgment
11 motions and, if necessary, appeal, along with supporting documents.

12 2. Attached as **Exhibit 2** is a true and correct copy of e-mail correspondence between
13 me and Zac Alinder, counsel for Oracle USA, Inc., Oracle International Corporation, and Siebel
14 Systems, Inc., and others, dated May 16, 2011.

15 3. Attached as **Exhibit 3** is a true and correct copy of e-mail correspondence between
16 me and Zac Alinder, counsel for Oracle USA, Inc., Oracle International Corporation, and Siebel
17 Systems, Inc., and others, dated May 20, 2011.

18 I declare under penalty of perjury under the laws of the United States and the State of
19 California that the foregoing is true and correct. Executed this 20th day of May, 2011 in Palo
20 Alto, California.

21 /s/ Jane L. Froyd _____
22 Jane L. Froyd

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