

EXHIBIT AAA

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.)

CASE NO. 07-CV-01658 (MJJ)

SAP AG, A GERMAN CORPORATION,)
SAP AMERICA, INC., A DELAWARE)
CORPORATION, TOMORROWNOW,)
INC., A TEXAS CORPORATION, AND)
DOES 1-50, INCLUSIVE,)
 Defendants.)

"HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY"
ORAL VIDEOTAPED DEPOSITION OF
THOMAS ZIEMEN
September 30, 2008 - Volume 1

ORAL VIDEOTAPED DEPOSITION OF THOMAS ZIEMEN, produced
as a witness at the instance of the Plaintiffs and duly
sworn, was taken in the above-styled and numbered cause on
Tuesday, September 30, 2008 - Volume 1, from 8:45 a.m. to
6:24 p.m., before JAMES M. PLAIR, Certified Shorthand
Reporter in and for the State of Texas, reported by
computerized stenotype machine at the offices of JONES
DAY, 717 Texas, Suite 3300, Houston, Texas 77002-2712,
pursuant to the Federal Rules of Civil Procedure and the
provisions stated on the record or attached hereto.

Job No. 1603-88906

THOMAS ZIEMEN September 30, 2008
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

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10:28	10:31 16 Q. When you sent this e-mail to the SAP board
10:28	10:31 17 members you attempted to make reasonable assumptions.
10:28	10:31 18 Correct?
10:28	10:31 19 A. Correct.
10:28	10:31 20 Q. So this initiative at this point in time, there
10:28	10:31 21 was at least a potential expectation of almost a billion
10:28	10:31 22 dollars in the first three years?
10:28	10:31 23 A. Almost \$900 -- 900 million, right.
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10:29	10:31

20 (Pages 74 to 77)

STATE OF TEXAS
COUNTY OF HARRIS

I, JAMES M. PLAIR, a Certified Shorthand Reporter in and for the State of Texas, do hereby certify that this deposition transcript is a true record of the testimony given by the witness named herein, after said witness was duly sworn by me. The witness was requested to review the deposition.

I further certify that I am neither attorney nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition is taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in the action.

I further certify that the amount of time used by each counsel at the time of the deposition is as follows:

Ms. Holly House -(08:10:54)
Attorney for PLAINTIFFS
Mr. Scott W. Cowan -(00:00:00)
Attorney for DEFENDANTS

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the
7th day of October, A.D., 2008.


JAMES M. PLAIR, CSR, RPR

Texas CSR 4409

Expiration: 12/31/2009

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