

EXHIBIT 32

CHART OF “HYPOTHETICAL” LICENSE EVIDENCE

The attached chart reflects the exhibits listed in Oracle’s Second Amended Trial Exhibit List (ECF No. 1181) to which Defendants object as irrelevant and unfairly prejudicial evidence relating to Oracle’s precluded hypothetical license theory of damages.

The chart reproduces the “Trial Exhibit No.,” “Date,” “Substance,” “Purpose,” and “Sponsoring Witness” fields of Oracle’s Amended Trial Exhibit list, without modification, and includes an additional column for Defendants’ objection(s) to each exhibit. For space reasons, Defendants omit the “Depo Exhibit Number,” “Beg Bates,” and “End Bates” fields from the attached chart.

Chart of "Hypothetical" License Evidence

TRIAL EXHIBIT NO.	DATE	SUBSTANCE	PURPOSE	SPONSORING WITNESS	DEFENDANTS' OBJECTIONS
0006	12/20/2004	Email from John Zepecki to Shai Agassi re PeopleSoft 1-2-3	SAP/TN Business Model, knowledge, liability; lost profits; infringers' profits	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0007	12/28/2004	Email from John Zepecki to James Mackey, Arlen Shenkman, Torsten Geers re TomorrowNow Meeting Summary - December 28, 2004	SAP/TN Business Model, knowledge, liability; lost profits; infringers' profits	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0008	12/22/2004	Email from Arlen Shenkman to James Mackey re PeopleSoft 1-2-3	SAP/TN Business Model, knowledge, liability; lost profits; infringers' profits	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0009	12/22/2004	Email from James Mackey to Arlen Shenkman re TomorrowNow meeting next week	Knowledge and liability	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0010	12/26/2004	Email from Shai Agassi to Arlen Shenkman, James Mackey, Werner Brandt, Jeffrey Word re TomorrowNow Financials (Confidential)	Knowledge and liability	Shenkman, Arlen	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
0011	12/23/2004	Email from Shai Agassi to John Zepecki re PeopleSoft 1-2-3	SAP/TN Business Model, knowledge, liability; lost profits; infringers' profits	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0012	12/23/2004	Email from Thomas Ziemien to Leo Apotheker re PeopleSoft Attack Program	Knowledge and liability; lost profits; infringers' profits	Zeimen, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0013	12/28/2004	Oracle - Estimation of Fair Value of Certain Assets and Liabilities of PeopleSoft, Inc. as of December 28, 2004	Infringers' profits; Lost profits	Ellison, Larry; Catz, Safra	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 701, 801-802; Lack of Foundation
0014	12/30/2004	Email from John Zepecki to Arlen Shenkman, Torsten Geers, James Mackey re TN Overview	Knowledge, liability and damages	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0015	1/5/2005	Email from John Zepecki to Arlen Shenkman, James Mackey and Torsten Geers re TomorrowNow/PSFT related background info	SAP/TN Business Model, knowledge, liability; lost profits; infringers' profits	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0016	1/6/2005	Email from Jeffrey Word to John Zepecki, James Mackey and Torsten Geers re TomorrowNow/PSFT related background info	SAP/TN Business Model, knowledge, liability; lost profits; infringers' profits	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0017	1/6/2005	Email from Shai Agassi to James Mackey, Arlen Shenkman re TNow	SAP/TN Business Model, knowledge, liability; lost profits; infringers' profits	Kagermann, Henning	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0018	1/6/2005	Email from Shai Agassi to James Mackey, Arlen Shenkman re RE: TNow	SAP/TN Business Model, knowledge, liability; lost profits	Agassi, Shai	Defs.' MIL 1 (2010); Defs.' MIL 2 (2012); 5/18/12 Order; 401-403
0019	1/7/2005	Email from Arlen Shenkman to Shai Agassi et al re Business Case (Confidential)	SAP/TN Business Model, knowledge, liability; infringers' profits	Kagermann, Henning	Defs.' MIL 1 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0021	1/17/2005	Email from James Mackey to Werner Brandt et al re TomorrowNow	Knowledge and liability	Kagermann, Henning	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0023	Undated	Transcript of SAP AG Phone Conference (undated)	SAP/TN Business Model, knowledge, infringers' profits; lost profits	Meyer, Paul	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
0024	1/20/2004	SAP presentation entitled Safe Passage: Winning Customers and Markets from Oracle-PeopleSoft-J.D. Edwards	Infringers' profits; lost profits	Oswald, Gerhard	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0025	1/25/2005	Presentation entitled "TomorrowNow Integration Meeting, 25-26 January 2005"	SAP/TN Business Model, knowledge, liability and damages	Ravin, Seth	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0026	2/2/2005	SAP risk documents entitled "Investment Lifecycle RA TomorrowNow"	SAP/TN Business Model, knowledge, liability and damages	Kagermann, Henning; Ziemien, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0027	3/9/2005	Email from Andrew Nelson to distribution list re SAP and TomorrowNow	Liability and damages	Nelson, Shelley	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0029	3/21/2005	Email from Andrew Nelson to Greg Nelson re spreadsheet, attaching Mark White HC, Rev. Exp 3-12-2005.xls	Liability and damages	Nelson, Andrew	Defs.' MIL 2 (2012); 5/18/12 Order
0030	4/14/2005	SAP presentation slides entitled "Cooperstown - Board Discussion - Corporate Consulting Team"	SAP/TN Business Model, knowledge, liability and damages	Kagermann, Henning	Defs.' MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0034	Undated	TomorrowNow Safe Passage with TomorrowNow Support - SAP AE FAQs - Regarding TomorrowNow Support Services	Liability; lost profits	Hurst, Terry	Defs.' MIL 2 (2012); 5/18/12 Order
0035	2/2/2006	Email from Thomas Ziemien to Lars Lamade re Risk Management for TN?!?	SAP/TN Business Model, knowledge, liability and damages	Ziemien, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403

Chart of "Hypothetical" License Evidence

TRIAL EXHIBIT NO.	DATE	SUBSTANCE	PURPOSE	SPONSORING WITNESS	DEFENDANTS' OBJECTIONS
0036	3/15/2006	Email from Christopher Faye, to Mark White, et al re SAP and TomorrowNow Integration	SAP/TN Business Model, knowledge, liability and damages	Nelson, Shelley	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0037	3/26/2006	Email from Andrew Nelson to Lon Fiala; Bob Geib; and Nigel Pullan re TN Standalone deals to Safe Passage	SAP/TN Business Model, knowledge, liability and damages	Nelson, Andrew	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0042	1/19/2007	PowerPoint presentation titled, "Oracle - Implications of Maintenance Cancellations on Applications Product Strategy" by Global Applications Board	Damages	Catz, Safra; Meyer, Paul; Rozwat, Charles	Defs.' MIL 1, 2 & 9 (2010); Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403, 801-802
0043	2/00/2007	SAP Supervisory Board Meeting TomorrowNow Status Update by Thomas Ziemann	SAP/TN Business Model, knowledge, infringers' profits; lost profits	Kagermann, Henning; Ziemann, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0091	10/00/2004	IDC Market Analysis - Worldwide ERP Applications 2004-2008 Forecast and Analysis: 2003 Vendor Shares and First-Half 2004 Results	SAP/TN Business Model, knowledge, liability and damages	Meyer, Paul	Defs.' MIL 2 (2010); Defs.' MIL 2 (2012); FRE 801-802
0101	12/17/2004	Document entitled "PeopleSoft Background - Catherine Jensen, Mary June Dorsey, Tom Shields, Hexaware, Naghi Prasad"	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403, 1001
0105	12/22/2004	Email from Arlen Shenkman to John Zepecki re PeopleSoft 1-2-3	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0106	12/22/2004	Email from Gerhard Oswald to Thoams Ziemann and Bernd Weiz re PeopleSoft 1-2-3	SAP/TN Business Model, knowledge, liability and damages	Ziemann, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0108	12/22/2004	Email from John Zepecki to Arlen Shenkman re TN meeting Tuesday	SAP/TN Business Model, knowledge, liability and damages	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0112	12/29/2004	Email from Torsten Geers to Shai Agassi re FW: TomorrowNow Meeting Summary - 12/28/04	SAP/TN Business Model, knowledge, liability and damages	Agassi, Shai	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0113	12/30/2004	Email from Arlen Shenkman to Torsten Geers, John Zepecki, James Mackey re TN Overview PowerPoint presentation	SAP/TN Business Model, knowledge, liability and damages	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0120	1/5/2005	Email from Jeffrey Word to John Zepecki re TN/PSFT related background info	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0121	1/5/2005	Email from Oswald to Ziemann re: WG: Confidential	SAP/TN Business Model, knowledge, liability and damages	Ziemann, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0122	1/5/2005	SAP document entitled PeopleSoft 1-2-3 Program, Version 1.3, John Zepecki	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0123	1/5/2005	Email from Jeffrey Word to Shai Agassi re FW: TomorrowNow/PSFT related background info, attaching PeopleSoft 1-2-3 01 05 05.doc	SAP/TN Business Model, knowledge, liability and damages	Agassi, Shai	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0125	1/6/2005	Email from Jeffrey Word to John Zepecki re TN/PSFT related background info	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0126	1/6/2005	Email from John Zepecki to Christopher Faye re someone you really need to speak with while you're here	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0127	1/7/2005	Email from Oswald to Wagner, Ziemann, and Weiz Re: WG: Business Case (Confidential)	SAP/TN Business Model, knowledge, liability and damages	Ziemann, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0129	1/7/2005	SAP TomorrowNow PowerPoint presentation entitled Business Case	SAP/TN Business Model, knowledge, liability and damages	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0130	1/7/2005	Email from Arlen Shenkman to Shai Agassi, Gerhard Oswald, Werner Brandt, Henning Kagermann, James Mackey, John Zepecki, Torsten Geers, Hike Stromann, Jeffrey Word re TN Business Case (Confidential)	SAP/TN Business Model, knowledge, liability and damages	Shenkman, Arlen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0131	1/7/2005	SAP presentation entitled "Business Case - TomorrowNow, Inc."	SAP/TN Business Model, knowledge, liability and damages	Brandt, Werner	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0137	1/14/2005	Email from Arlen Shenkman to James Mackey re TomorrowNow	SAP/TN Business Model, knowledge, liability and damages	Shenkman, Arlen; Nelson, Andrew	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0139	1/15/2005	Email from James Mackey to Werner Brandt, Tim Crean, Brad Brubaker, Arlen Shenkman re TomorrowNow	SAP/TN Business Model, knowledge, liability and damages	Brandt, Werner	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403

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TRIAL EXHIBIT NO.	DATE	SUBSTANCE	PURPOSE	SPONSORING WITNESS	DEFENDANTS' OBJECTIONS
0141	1/17/2005	Email from Chuck Mulloy to Gerhard Oswald, David Bradley, Martin Breuer, Peter Graf, Anne McCarthy, Gregory McStravick, Susan Popper, Thomas Ziemer, Michael Wendell, Christopher Clarke, Martin Homlish, Steven Mann, William Wohl, Stefan Wag re FW: Safe Pas	SAP/TN Business Model, knowledge, liability, infringers' profits; lost profits	Shenkman, Arlen	Defs.' MIL 2 (2012); 5/18/12 Order
0156	1/21/2005	Email from James Mackey to Werner Brandt et al re TomorrowNow	SAP/TN Business Model, knowledge, liability and damages	Oswald, Gerhard	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0159	1/25/2005	Email from John Baugh to Greg Nelson, George Lester re Oracle Licensing	SAP/TN Business Model, knowledge, liability and damages	Baugh, John, Nelson, G.	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
0161	1/25/2005	TomorrowNow Integration Meeting 25-26 January 2005 presentation by Steven Tseng	SAP/TN Business Model, knowledge, liability and damages	Ziemer, Thomas	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0163	1/26/2005	Email from Gerhard Oswald to Thomas Ziemer re WG: Oracle Warns SAP to Step Lightly	SAP/TN Business Model, knowledge, liability and damages	Oswald, Gerhard	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0167	2/1/2005	SAP Safe Passage presentation	SAP/TN Business Model, knowledge, liability and damages	Scholten, Jochen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0171	2/3/2004	Email (portions redacted) from Michael Wendell to Gregory McStravick re seen no progress on getting partners engaged, attaching 2/3/2004 SAP project management approach document entitled "Clear Sailing: Sustaining Our Momentum to Competitive Waters - SAP	Knowledge, liability, infringers' profits; lost profits	Kagermann, Henning	Defs.' MIL 2 (2012); 5/18/12 Order
0173	2/4/2005	Email from Tseng to Ziemer, Subject: Detailed Headcount Plan and Excel spreadsheet attached	SAP/TN Business Model, knowledge, liability and damages	Ziemer, Thomas	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
0174	2/9/2005	Email from Gerhard Oswald to Shai Agassi, Leo Apotheker, re Business Case TomorrowNow, attaching Board_BC_TNow.ppt	SAP/TN Business Model, knowledge, liability, infringers' profits; lost profits	Agassi, Shai	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0177	2/18/2005	SAP Business Case TomorrowNow - Gerd Oswald - board presentation	SAP/TN Business Model, knowledge, liability and damages	Hurst, Terry	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0178	2/18/2005	Email from Stephen Tseng to Greg Pike re Mike as chairman	SAP/TN Business Model, knowledge, liability and damages	Tseng, Stephen	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0181	2/24/2005	Email from Thomas Ziemer to Mark White, Bernd Wetz re AW:TN	SAP/TN Business Model, knowledge, liability and damages	Kagermann, Henning, White, Mark	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0183	3/1/2005	Email from James Mackey to Shai Agassi re TNow	SAP/TN Business Model, knowledge, liability and damages	Mackey, James	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0188	3/14/2005	Email from Werner Brandt to Mark White et al re TomorrowNow non-USA employees	SAP/TN Business Model, knowledge, liability and damages	Brandt, Werner	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0193	4/00/2005	SAP Safe Passage Global Sales Guide	SAP/TN Business Model, knowledge, liability and damages	Hurst, Terry	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0197	4/8/2005	Email from Christoph Huetten to Mark White re TN status	SAP/TN Business Model, knowledge, liability and damages	Shenkman, Arlen; White, Mark; Brandt, Werner	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0222	7/22/2005	Email from Daniela Weber to Christian Walter, Thomas Ziemer re Safe Passage Updates	SAP/TN Business Model, knowledge, liability, infringers' profits; lost profits	Kagermann, Henning	Defs.' MIL 2 (2012); 5/18/12 Order
0227	8/10/2005	Email from Steven Mann to Leo Apotheker et al re Safe Passage Extensions (Translated German document)	SAP/TN Business Model, knowledge, liability and damages	Apotheker, Leo	Defs.' MIL 9 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0231	8/23/2005	Email from Leo Apotheker to Steven Mann re Re: ATTORNEY CLIENT PRIVILEGED, COMPANY CONFIDENTIAL	SAP/TN Business Model, knowledge, liability and damages	Agassi, Shai	Defs.' MIL 9 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0232	8/24/2005	Email from Bernd Weiz to Bernd-Michael Rumpf, Rainer Guthor, Thomas Ziemer re Attorney Client Privileged, Company Confidential	SAP/TN Business Model, knowledge, liability and damages	Apotheker, Leo	Defs.' MIL 9 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0247	10/25/2005	Email from Christian Klein to Thomas Ziemer et al re attached TNow Budget 2006	SAP/TN Business Model, knowledge, liability and damages	Oswald, Gerhard	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0256	11/16/2005	SAP presentation entitled "Business Case TomorrowNow 2006 - Gerd Oswald"	SAP/TN Business Model, knowledge, liability, infringers' profits; lost profits	Oswald, Gerhard	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403

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TRIAL EXHIBIT NO.	DATE	SUBSTANCE	PURPOSE	SPONSORING WITNESS	DEFENDANTS' OBJECTIONS
0267	0/00/2006	SAP document entitled Business Case, TomorrowNow - Siebel - Board Area: Gerd Oswald	SAP/TN Business Model, knowledge, liability and damages	Ziemen, Thomas	Def's: MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0295	3/27/2006	Email from Nigel Pullan to Stuart Fisher et al re TN standalone deals to Safe Passage	SAP/TN Business Model, knowledge, liability and damages	Hurst, Terry	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403
0334	7/31/2006	Email from Ziemen to Oswald FW: Q1 Oracle Disruption Plan (Translated German Document)	Liability; infringers' profits; lost profits	Ziemen, Thomas	Def's: MIL 2 (2012); 5/18/12 Order
0371	11/9/2006	SAP presentation entitled "TomorrowNow Status Update - Andrew Nelson, Thomas Ziemen"	SAP/TN Business Model, knowledge, liability; infringers' profits; lost profits	Oswald, Gerhard	Def's: MIL 9 (2010); Def's: MIL 2 (2012); 5/18/12 Order
0391	0/00/2007	SAP FKOM '07 Las Vegas - Leveraging Safe Passage and TomorrowNow to Replace Oracle - Jeff Winter, Bob Geib, Bill McNamara presentation	SAP/TN Business Model, knowledge, liability; infringers' profits; lost profits	Hurst, Terry	Def's: MIL 2 (2012); 5/18/12 Order
0416	2/16/2007	Email from Anke Mogannam to Michael Myers re Analyst Relations attaching "why TNOW v1.zip; ATTF2EYG; FKOM-TN Handout_full page.pdf"	SAP/TN Business Model, knowledge, liability; infringers' profits; lost profits	Meyer, Paul; Nelson, Andrew	Def's: MIL 2 (2012); 5/18/12 Order
0452	5/29/2007	Email from Jesper Anderson to Ognjen Pavlovic re EC update with attached JDE Cancellation Rates as a % of ATR (Available to Renew) and Oracle FY08 Applications Development Budget Request by John Wookey	SAP/TN Business Model, knowledge, liability and damages	Catz, Safra; Meyer, Paul	Def's: MIL 2 (2012); 5/18/12 Order; FRE 801-802
0461	7/3/2007	SAP Conference Call Transcript	SAP/TN Business Model, knowledge, liability and damages	Kagermann, Henning	Def's: MIL 7 (2010); Def's: MIL 1-3 (2012); 5/18/12 Order; FRE 401-403
0472	8/13/2007	Email from Albert van Wissen to Bjoern Weber, Thomas Ziemen re RE: FC7 accuracy	SAP/TN Business Model, knowledge, liability and damages	Oswald, Gerhard	Def's: MIL 1 & 2 (2012); 5/18/12 Order
0483	11/00/2007	Oracle - Applications Strategy - November 2007	Damages	Catz, Safra; Phillips, Charles	Def's: MIL 2 (2012); 5/18/12 Order; FRE 801-802
0496	2/6/2008	Redacted Email from Mark White to Werner Brandt et al re three topics	SAP/TN Business Model, knowledge, liability and damages	White, Mark; Brandt, Werner	Def's: MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
0533	12/5/2008	Deloitte report titled, "SAP AG Fair Value of Certain Assets, Liabilities and Legal Entities of Business Objects S.A. as of January 21, 2008"	Damages	Meyer, Paul; Brandt, Werner	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403
0541	10/00/2009	PowerPoint presentation titled, "Research, Development, Maintenance Costs & Headcount" by Global Controlling	Damages	Meyer, Paul; Brandt, Werner	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403
0542	11/00/2009	PowerPoint presentation titled, "Research, Development, Maintenance Costs & Headcount" by Global Controlling	Damages	Meyer, Paul; Brandt, Werner	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403
0608	Undated	Native Excel file - Jan05 ~ Oct08 Exp and HC for DB_Pfst_JDE_SEBL & Resource Allocation Oct07 ~ Q1FY09[1].xls	Damages	Ellison, Larry; Meyer, Paul	Def's: MIL 1 & 2 (2012); 5/18/12 Order
0614	Undated	Native Excel document - Siebel Operation Model	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Def's: MIL 1 & 2 (2010); Def's: MIL 2 (2012); 5/18/12 Order; FRE 801-802
0614A	Undated	Excerpts of Native Excel document - Siebel Operation Model	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Def's: MIL 1 & 2 (2010); Def's: MIL 2 (2012); 5/18/12 Order; FRE 801-802
0615	Undated	Native Excel document - PSFT Operations Manual	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Def's: MIL 1 & 2 (2010); Def's: MIL 2 (2012); 5/18/12 Order; FRE 801-802
0615A	Undated	Excerpts of Native Excel document - PSFT Operations Manual	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Def's: MIL 1 & 2 (2010); Def's: MIL 2 (2012); 5/18/12 Order; FRE 801-802
0635	Undated	Oracle Database Server Counts	Liability; damages	Mandia, Kevin	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403
0651	12/00/2004	PeopleSoft Investor presentation	Damages	Catz, Safra; Meyer, Paul	Def's: MIL 2 (2010); FRE 801-802
0656	0/00/2006	Draft Oracle License and Services Agreement	License terms, liability and damages	Allison, Richard	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403
0657	1/1/2006	License Agreement between International Business Machines Corporation and SAP AG (IB License Reference No. L065021)	License terms, liability and damages	Brandt, Werner	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403
0658	1/31/2006	Oracle Estimation of the Fair Value of Certain Assets and Liabilities of Siebel Systems, Inc.	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Def's: MIL 1 & 2 (2010); Def's: MIL 2 (2012); 5/18/12 Order; FRE 801-802
0664	2/19/2010	Email from Joshua Fuchs (Jones Day) to Nitin Jindal (Bingham McCutchen) identifying the number of processors, number of cores and the date of purchase for each server identified in interrogatories as having an Oracle database installation	Liability and damages	Meyer, Paul	Def's: MIL 2 (2012); 5/18/12 Order; FRE 401-403

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TRIAL EXHIBIT NO.	DATE	SUBSTANCE	PURPOSE	SPONSORING WITNESS	DEFENDANTS' OBJECTIONS
0685	6/00/2007	June 2007 AICPA Statement on Standards for Valuation Services No. 1, "Valuation of a Business, Business Ownership Interest, Security, or Intangible Asset"	Damages	Meyer, Paul	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
0951	Undated	Maintenance Strategy Session by Rick Cummins Director, North America Support Sales PSFT/JDE	Infringers' Profits; Lost Profits	Meyer, Paul; Catz, Safra; Rozwat, Charles	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 801-802
0958	10/25/2005	Email from Christian Klein to Thomas Zieman, et al. Re: TNow Budget 2006 with attachments	SAP/TN Business Model, knowledge; infringers' profits; lost profits	Hurst, Terry; Zieman, Thomas	Defs.' MIL 2 (2012); 5/18/12 Order
0960	Undated	SAP Program Playbook - Siebel Safe Passage Program Playbook	SAP/TN Business Model, knowledge; infringers' profits; lost profits	Hurst, Terry	Defs.' MIL 9 (2010); Defs.' MIL 2 (2012); 5/18/12 Order
0965	4/24/2005	Take Control of Your ERP Strategy: Inspire Innovation in Your Organization by Andrew Nelson President and CEO TomorrowNow, Inc.	SAP/TN Business Model, knowledge; infringers' profits; lost profits	Nelson, Andrew	Defs.' MIL 2 (2012); 5/18/12 Order
0970	4/25/2006	Email from Lon Fiala to Andrew Nelson Re: Working Financial Impact Notes	Infringers' Profits; Lost Profits	Nelson, Andrew	Defs.' MIL 2 (2012); 5/18/12 Order
0971	4/20/2005	Email from Jennifer Cutujar to Jim Davignon, et al. Re: PeopleSoft Alternative Support - TomorrowNow - TomorrowNow & SAP at Acushnet	Infringers' Profits; Lost Profits	Meyer, Paul; Geib, Bob	Defs.' MIL 2 (2012); 5/18/12 Order
0974	5/11/2006	Email from Lon Fiala to Michael Prosceno Re: Impact on Vendor	Infringers' Profits; Lost Profits	Meyer, Paul; Nelson, Andrew	Defs.' MIL 2 (2012); 5/18/12 Order
0978	6/00/2007	AICPA Statement on Standards for Valuation Services No. 1, Valuation of a Business, Business Ownership Interest, Security, or Intangible Asset	Damages	Meyer, Paul	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
0979	12/12/2004	Document entitled "Project Spice" prepared by Credit Suisse First Boston	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
1487	12/4/2009	Defendant TomorrowNow Inc.'s Second Amended and Supplemental Response to Plaintiff Oracle Corporation's First Set of Requests for Admission Response to Admission No. 85	SAP/TN Business Model, knowledge, liability and damages	Mark White, Wemer Brandt, Andrew Nelson, Deemed verified by stipulation of parties	Defs.' MIL 1 & 2 (2010); Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
2115-1		Photograph of CD titled: Oracle Database 10g: Release 2	Copyright ownership, authorship, liability, damages	Screven, Edward	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
2394	12/18/2006	J.D. Edwards Component Price List	License terms; liability; lost profits	Catz, Safra; Allison, Rich	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
2395	12/18/2006	J.D. Edwards Component Price List	License terms; liability; lost profits	Catz, Safra; Allison, Rich	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
2396	12/18/2006	J.D. Edwards Enterprise Price List	License terms; liability; lost profits	Catz, Safra; Allison, Rich	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
2397	12/18/2006	PeopleSoft Enterprise Price List	License terms; liability; lost profits	Catz, Safra; Allison, Rich	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
2842	0/00/2005	Draft Oracle License and Services Agreement	License terms; liability; lost profits	Allison, Richard	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
2845	2/19/2010	Email from Joshua Fuchs (Jones Day) to Nitin Jindal (Bingham McCutchen) identifying the number of processors, number of cores and the date of purchase for each server identified in interrogatories as having an Oracle database installation	Liability and damages	Meyer, Paul	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 401-403
4809	1/26/2005	Email from J. Sim to S. Catz; C. Phillips; et al. re Final Financial Analyst Day Presentations with attached powerpoints	Damages	Catz, Safra; Meyer, Paul	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 801-802
4811	2/3/2005	Email from H. You to L. Ellison, J. Henley, S. Catz, et al. re S&P with attached S&P Oracle draft and Rating Presentation powerpoint dated January 2005	Damages	Ellison, Larry; Catz, Safra; Meyer, Paul	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 801-802
4812	12/4/2006	JD Edwards World -- 1099 Changes for Tax Year 2006 -- Solution Summary	Copyright ownership, authorship, liability, damages	Screven, Edward	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 801-802
4814	12/23/2004	Email from B. Welz to Bernd-Michael Rumpf, et al. re PeopleSoft Attack Program with attached PeopleSoft Attack Program PowerPoint	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul; Scholten, Jochen	Defs.' MIL 2 (2010); Defs.' MIL 2 (2012); FRE 801-802
4815	3/23/2007	CNET News article titled, "SAP to 'agressively defend' itself against Oracle lawsuit", by Dawn Kawamoto	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403, 801-802
4816	8/28/2007	Joint Case Management Conference Statement (Docket No. 44)	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Defs.' MIL 1, 2, 7, 8-10 (2010); Defs.' MIL 1-4 (2012); FRE 401-403, 801-802
4817	4/17/2008	Joint Case Management Conference Statement (Docket No. 76)	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Defs.' MIL 1, 2, 7, 8-10 (2010); Defs.' MIL 1-4 (2012); FRE 401-403, 801-802
4819	Undated	Oracle R&D Investment Each Year	Damages	Ellison, Larry; Catz, Safra; Phillips, Charles; Meyer, Paul	Defs.' MIL 2 (2012); 5/18/12 Order; FRE 801-802, 1006
4833	Undated	Scope of License	Damages	Meyer, Paul	Defs.' MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403

Chart of "Hypothetical" License Evidence

TRIAL EXHIBIT NO.	DATE	SUBSTANCE	PURPOSE	SPONSORING WITNESS	DEFENDANTS' OBJECTIONS
4835	1/19/2005	Akweli Parker. "European software giant SAP offers 'safe passage' from Oracle/PeopleSoft." Philadelphia Inquirer. 19 Jan. 2005	Infringers' profits; lost profits	McDermott, Bill; Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order; FRE 801-802
4836	3/4/2007	Email from Will Scheckel to Martin Homlish et al. re Global Marketing Review Meeting Minutes with attached Global Marketing Review with Bill McDermott Meeting Notes and Action Items dated March 1, 2007	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 9 (2010); Defs.' MIL 2 (2012); 5/18/12 Order
4837	Undated	TomorrowNow Customers in 2005	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4838	2/2/2006	Email from Terry Hurst to Marcia Jacobs re TomorrowNow...	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4839	3/14/2006	Email from Marcia Jacobs to Kathleen Murphy re Clarity and agreement regarding Safe Passage Definition	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4840		Business Case: TomorrowNow - Oracle eBusiness Suite	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 9 (2010); Defs.' MIL 2 (2012); 5/18/12 Order
4841	2006	2007 Oracle Competitive Program: Safe Passage Acceleration	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 9 (2010); Defs.' MIL 2 (2012); 5/18/12 Order
4842	6/20/2007	Email from Shawn Blevins to Christian Mueller et al. re Competitive Program	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4843	1/21/2006	Email from Benjamin Wilk to Terry Hurst et al. re TomorrowNow List and Information	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4844	1/26/2004	Draft Sales Passage sales force letters	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4845		Safe Passage Powerpoint	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4846	9/21/2006	Email from Anke Mogannam to Lesley Loftus re Clarification on "Turn Up The Heat" Q3 Program versus SAP Safe Passage Q4 Program	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4847	2/6/2007	Email chain from Benjamin Wilk to Terry Hurst re TomorrowNow customers list	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4848	9/25/2008	Greek Fire - An Oracle Disruptive Discussion Powerpoint	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
4849	3/9/2005	Email from Robert Dillon to Brad Brubaker re Tomorrow now	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 2 (2012); 5/18/12 Order
4850	1/23/2005	Email from Steven Mann to Leo Apotheker, et al. re Let the Stack Wars Begin in Enterprise Applications SAP Announces "Safe Harbor"	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 2 (2012); 5/18/12 Order
4851	4/21/2007	Email from Saswato Das to Bill McDermott re Philadelphia Inquirer piece	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
7000	1/7/2005	TomorrowNow Business Case	Infringers' profits; lost profits	Plattner, Hasso; McDermott, Bill	Def's. MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
7001	1/16/2005	Email from Bill McDermott to Shai Agassi et al. re Press Release and Plan Update	Infringers' profits; lost profits	McDermott, Bill; Agassi, Shai	Def's. MIL 2 (2012); 5/18/12 Order
7006	6/16/2006	Email from Bill McDermott to DL Board et al. re Project Game Plan Final Document with attached PowerPoint titled, "Shaping the Future - Accelerating Time-to-Value" Americas Midterm Strategy "Game Plan" Project	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 2 (2012); 5/18/12 Order; FRE 401-402
7008	7/13/2006	Email from Bill McDermott to Martin Homlish re Offer recommendations with attached Offer recommendations_Mannv1.ppt	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 9 (2010); Defs.' MIL 2 (2012); 5/18/12 Order
7009	7/30/2006	Email from Anne McCarthy to Martin Homlish et al. re Q1 Oracle Disruption Plan	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 9 (2010); Defs.' MIL 2 (2012); 5/18/12 Order
7010	10/11/2006	Email from Barbara Rendina to Andrew Nelson re Contact Info	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 2 (2012); 5/18/12 Order
7012	5/31/2007	Email from Bill McDermott to Leo Apotheker re Acquisitions with attached Bill McDermott acquisition strategy May 2007.ppt; Maintenance Opportunities_v5.ppt	Infringers' profits; lost profits	McDermott, Bill	Def's. MIL 2 (2012); 5/18/12 Order
7027	5/4/2006	Email from Lesley Loftus to Stuart Fisher re TomorrowNow WINS - National Foods Ltd (SAP Safe Passage) Joint Peoplesoft and JDE support agreement	Infringers' profits; lost profits	Hurst, Terry	Def's. MIL 2 (2012); 5/18/12 Order
7028	Undated	Scope of License	Infringers' profits; lost profits	Meyer, Paul	Def's. MIL 2 (2012); 5/18/12 Order; FRE 401-403
7034	3/3/2009	Qualcomm INC/DE Form DEF 14A - Filed 1/13/09 for the Period Ending 3/3/09	Infringers' profits; lost profits	Meyer, Paul; Clarke, Stephen	Def's. MIL 2 (2012); 5/18/12 Order; FRE 401-403
7039	9/9/2008	SAP Press Release titled, "Business Objects Launches New Version of Metadata Management Solution"	Infringers' profits; lost profits	Meyer, Paul; Clarke, Stephen	Def's. MIL 2 (2012); 5/18/12 Order; FRE 401-403
7041	5/30/2008	Email from Bob Ludlam to all@tomorrownow.com re TomorrowNow WINS!!! Atlantic Container Line (JDE World Customer)	Infringers' profits; lost profits	Meyer, Paul; Clarke, Stephen	Def's. MIL 2 (2012); 5/18/12 Order
8042	9/8/2005	Project Sierra: Sierra Valuation Analysis	Damages	Ellison, Larry; Catz, Safra; Meyer, Paul	Def's. MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
8076	1/20/2005	Email from Luka Mucic to Arlen Shenkman, Stefan Wagner, Thomas Ziemer, James Mackey re TN IL risk assessment with SAP Corporate Risk Catalog.xls attached	SAP/TN Business Model, knowledge, liability and damages	Shenkman, Arlen	Def's. MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
8080	12/28/2004	Document entitled "Peoplesoft Background" with notations	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Def's. MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403

Chart of "Hypothetical" License Evidence

TRIAL EXHIBIT NO.	DATE	SUBSTANCE	PURPOSE	SPONSORING WITNESS	DEFENDANTS' OBJECTIONS
8081	12/29/2004	Email from John Zepecki to Shai Agassi re PeopleSoft Attack Program - next steps	SAP/TN Business Model, knowledge, liability and damages	Zepecki, John	Def's. MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
8082	10/20/2006	Email from Hartmut Schaper to Steven Mann, et al. re Oracle's carefull (?) strategy regarding a "maintenance war"	Knowledge, liability and damages	Zieman, Thomas	Def's. MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
8095	4/29/2005	Translation of email from Thomas Bamberger to Gerhard Oswald and Christian Klein re Hintergrundinformationen zum Board Call am 29. April 05	SAP/TN Business Model, knowledge, liability and damages	Bamberger, Thomas	Def's. MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
8104	3/24/2006	Email from Conrad Voorsanger to Henning Kagermann, et al. re Follow-Up: Sun Tzu Request from Jim and 060323 - SunTzu (Jim Sanbe Leadership Team) doc attached	SAP/TN Business Model, knowledge, liability and damages	Oswald, Gerhard	Def's. MIL 1 & 2 (2010); Defs.' MIL 1 & 2 (2012); 5/18/12 Order; FRE 401-403
8117	3/28/2012	Email from Howard to Lanier Re: Oracle v SAP and enclosing meet and confer letter	Damages	Meyer, Paul	Def's. MIL 1 & 2 (2012); 5/18/10 Order; FRE 401-403, 801-802
8118	3/28/2012	Letter from Howard to Lanier Re: Oracle v SAP and enclosing pretrial meet and confer letter	Damages	Meyer, Paul	Def's. MIL 1 & 2 (2012); 5/18/10 Order; FRE 401-403, 801-802
8130	10/9/2008	Defendants' document production letter for documents Bates numbered TN-OR02813168, TN-OR02985946 to TN-OR02986052	Damages	Meyer, Paul	Def's. MIL 1 & 2 (2012); 5/18/10 Order; FRE 401-403
8131	1/8/2009	Defendants' document production letter for documents Bates numbered SAP-OR00580368 to SAP-OR00580368 and SAP-OR00595972 to SAP-OR00603616	Damages	Meyer, Paul	Def's. MIL 1 & 2 (2012); 5/18/10 Order; FRE 401-403
8132	5/5/2009	Defendants' document production letter for documents Bates numbered TN-OR06125333 and TN-OR06220761	Damages	Meyer, Paul	Def's. MIL 1 & 2 (2012); 5/18/10 Order; FRE 401-403
8133	7/15/2009	Defendants' document production letter for documents Bates numbered SAP-OR00777765 and SAP-OR00789837 to SAP-OR00798214	Damages	Meyer, Paul	Def's. MIL 1 & 2 (2012); 5/18/10 Order; FRE 401-403
8134	10/30/2009	Defendants' document production letter for documents Bates numbered SAP-OR00841586 to SAP-OR00841588	Damages	Meyer, Paul	Def's. MIL 1 & 2 (2012); 5/18/10 Order; FRE 401-403