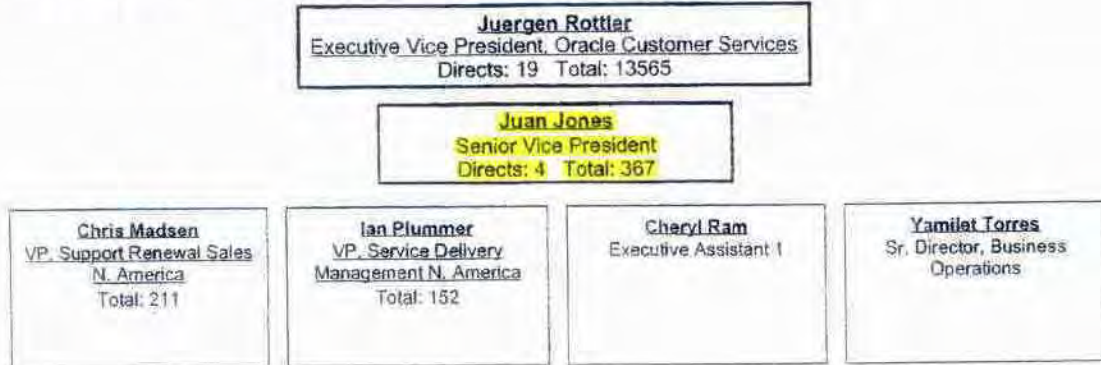


EXHIBIT 4

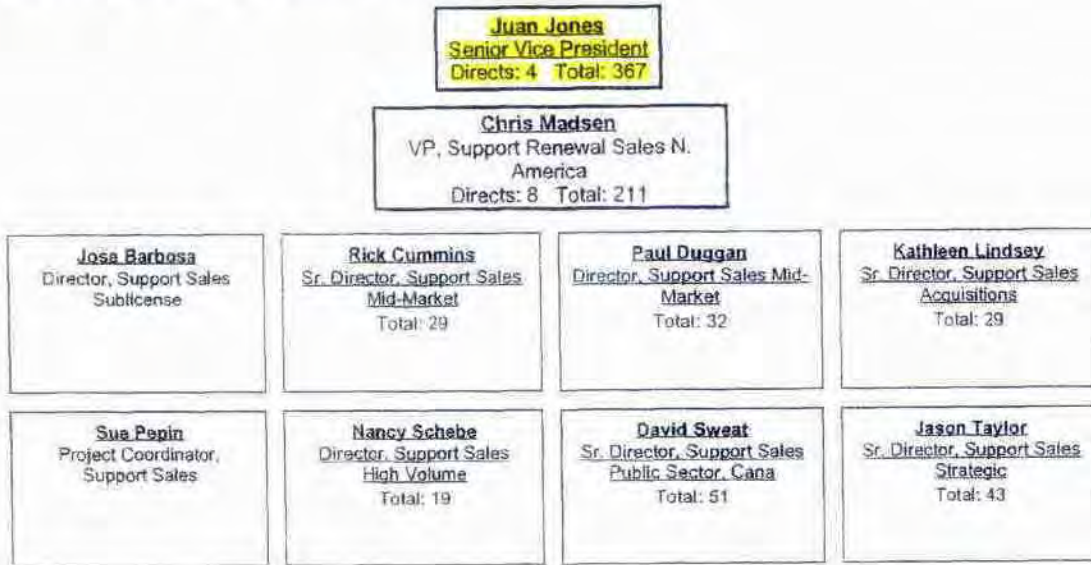
Defendants' Trial Exhibit A-0367 – Foundational Support

- ORCL00034304-05 (Oracle organizational chart identifying Juan Jones as Oracle Senior Vice President for Customer Services North America Support)
- Jones Video Depo. Tr. (as played at Trial 11/15/10) at 96:18-22-97:13 (identifying and discussing exhibit A-0367, which was previously admitted at Trial)
- Jones Video Depo. Tr. (as played at Trial 11/15/10) at 20:3-6; 24:10-18; 25:3-20; 43:7-10 (identifying Jones as Oracle's Senior Vice President, Customer Services, North America Support and describing his job responsibilities)
- Jones Apr. 24, 2009 Depo. Tr. 29:12-17 (indicating that Jones had responsibility for Oracle's support sales renewal function from at least 2005 to 2009)
- Blotner July 23, 2008 Depo. Tr. 98:7-99:3 (Rule 30(b)(6) testimony stating that Juan Jones "runs support for North America")

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25:20 ensure that they don't have issues.

5 43:7-43:10 Jones, Juan 2009-04-24 00:00:27 00:02:15 00:43:54
 43:7 Q. Does -- does every pricing decision that's
 43:8 an exception from the existing contract that's being
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6 96:18-96:22 Jones, Juan 2009-04-24 00:00:17 00:02:42 00:43:27
 Link > A367.1.1 96:18 Q. Mr. Jones, I'm showing you what's been
 96:19 marked as Deposition Exhibit 367, which contains a
 96:20 copy of an email from you to Chris Madsen and Rick
 96:21 Cummins dated August 29, 2006. Would you take a
 96:22 moment to look it over, please.

7 96:23-97:21 Jones, Juan 2009-04-24 00:01:22 00:02:59 00:43:10
 96:23 A. Okay.
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 96:25 record, please.
 97:1 A. Yes. This document was a request for an
 97:2 exception approval for Home Depot. Essentially the
 97:3 proposal was asking for \$600,000 to be the support
 97:4 renewal fee. And that would be a reduction from
 97:5 what had been 1.3 million. And the positioning was
 97:6 that it would -- with this fee the customer would
 97:7 receive break/fix pieces only and not have rights to
 97:8 updates and upgrades.
 97:9 Q. And you refused to approve that proposal.
 97:10 correct?
 97:11 A. That is correct. Yes.
 97:12 Q. Do you recall this transaction?
 97:13 A. Yes, I do.
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 97:15 Exhibit 367, you wrote, "It is clear that Home Depot
 97:16 is committed to SAP." Do you see that?
 97:17 A. Yes, I do.
 97:18 Q. Did you mean, by that, that at that point
 97:19 in time it was clear to you that Home Depot was
 97:20 transitioning to SAP software?
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8 97:22-99:2 Jones, Juan 2009-04-24 00:01:57 00:04:21 00:41:48
 97:22 Q. And, in fact, you go on to say, in the very
 97:23 next sentence, that you considered them a loss last
 97:24 year. Do you see that?
 97:25 A. Yes, I do.
 98:1 Q. So by that were you saying that it was
 98:2 clear to you even in the prior year that Home Depot

Jones DA PC on 11-14 FINAL

Scene	Designation	Source	Tx Duration	Elapsed	Remains
1	20:3 - 20:6	Jones, Juan 2009-04-24	00:00:11	00:00:00	00:46:09
	20:3	Q. What -- what precisely is your job title			
	20:4	today?			
	20:5	A. Today my job title is senior vice			
	20:6	president, customer services, North America support.			
2	21:24 - 22:5	Jones, Juan 2009-04-24	00:00:17	00:00:11	00:45:58
	21:24	Q. So today you report directly to Juergen			
	21:25	Rottler?			
	22:1	A. That is correct.			
	22:2	Q. How long -- how long have you reported to			
	22:3	Mr. Rottler?			
	22:4	A. I've reported to Juergen Rottler			
	22:5	approximately four and half years, maybe.			
3	24:10 - 24:18	Jones, Juan 2009-04-24	00:00:40	00:00:28	00:45:41
	24:10	Q. Can you tell me in a little more detail			
	24:11	what your current job responsibilities are today?			
	24:12	A. Okay. My current job responsibilities			
	24:13	today are to lead the support renewal sales team for			
	24:14	North America and also to lead the customer services			
	24:15	management team for North America. Those are			
	24:16	predominantly my functions. I also have a small			
	24:17	group that does acquisition, customer success, makes			
	24:18	sure those things are going well.			
4	25:3 - 25:20	Jones, Juan 2009-04-24	00:01:07	00:01:08	00:45:01
	25:3	Q. Can you tell me a little bit more			
	25:4	specifically, then, what you do in connection with			
	25:5	the support renewal sales function?			
	25:6	A. Okay. I ensure we -- I'm responsible for			
	25:7	the renewal of our support maintenance contracts			
	25:8	with our -- across our customer base. You know, I			
	25:9	get involved in conversations with customers			
	25:10	directly in support of my team when it is			
	25:11	appropriate for me to do so.			
	25:12	I also spend a lot of time talking to			
	25:13	customers to ensure that they are receiving all of			
	25:14	the value of support, all of the service elements			
	25:15	that we have in our service offer, and ensure			
	25:16	they're realizing that value. I also spend time			
	25:17	talking to customers about issues or incidents they			
	25:18	may have, working on plans to provide remediation			
	25:19	for those or working on plans to be proactive to			

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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ORACLE CORPORATION, a
Delaware corporation, ORACLE
USA, INC., a Colorado
corporation, and ORACLE
INTERNATIONAL CORPORATION, a
California corporation,

Plaintiffs,

vs.

No. 07-CV-1658 (PJH)

SAP AG, a German
corporation, SAP AMERICA,
INC., a Delaware
corporation, TOMORROWNOW,
INC., a Texas corporation,
and DOES 1-50, inclusive,

Defendants.
_____ /

Deposition of

JUAN C. JONES

Friday, April 24, 2009

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

REPORTED BY: JOHN WISSENBACH, RMR, CRR, CBC,
CLR, CSR 6862 01-418986

Merrill Legal Solutions
(800) 869-9132

09:42:20 1 Q. How long have you had responsibility for
09:42:23 2 that team?

09:42:27 3 A. That team I believe has been formed within
09:42:32 4 the past fiscal year, so maybe around a year, I
09:42:38 5 would say.

09:42:39 6 Q. As part of that team, are you responsible
09:42:41 7 for evaluating the PeopleSoft, slash, JD Edwards
09:42:49 8 acquisition results?

09:42:50 9 A. As part of that team, we look at those
09:42:52 10 results, yes, as it relates to the support services
09:43:00 11 metrics.

09:43:01 12 Q. For how long have you had responsibility
09:43:07 13 for the support renewal sales function?

09:43:14 14 A. I would say for -- for approximately four
09:43:18 15 years now.

09:43:18 16 Q. So back to approximately 2005?

09:43:23 17 A. Somewhere around there, yes.

09:43:25 18 Q. Can you place it in time with respect to
09:43:28 19 the PeopleSoft acquisition? It sounds like it was
09:43:32 20 about that same time?

09:43:35 21 A. I think right -- I think maybe six months
09:43:43 22 thereafter, or something like that.

09:43:51 23 Q. Do you have responsibility for pricing
09:44:03 24 decisions in connection with support renewal sales?

09:44:10 25 MS. HOUSE: Objection; vague.

1 4:49 p.m.)

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I declare under penalty of perjury that the

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foregoing is true and correct. Subscribed at

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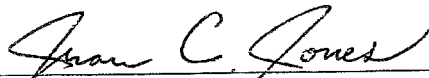
Pleasanton, California, this 15th day of

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May, 2009.

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Signature of the witness

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_____ Subject to the above changes, I certify that the transcript is true and correct.

No changes have been made. I certify that the transcript is true and correct.



(signature)

5/15/09
(date)

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CERTIFICATE OF REPORTER

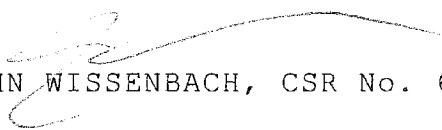
I, JOHN WISSENBACH, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken down in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition, review of the transcript [X] was [] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

DATED: 4/26/09


JOHN WISSENBACH, CSR No. 6862

RICHARD BLOTNER

July 23, 2008

HIGHLY CONFIDENTIAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

--oOo--

ORACLE CORPORATION, a)
Delaware corporation, ORACLE)
USA, INC., a Colorado)
corporation, and ORACLE)
INTERNATIONAL CORPORATION, a)
California corporation,)

Plaintiffs,)

vs.) No. 07-CV-1658 (PJH)

SAP AG, a German corporation,)
SAP AMERICA, INC., a Delaware)
corporation, TOMORROWNOW,)
INC., a Texas corporation, and)
DOES 1-50, inclusive,)

Defendants.)

DEPOSITION OF
RICHARD BLOTNER

Wednesday, July 23, 2008

CONTAINS HIGHLY CONFIDENTIAL MATERIAL

REPORTED BY: CYNTHIA A. PACINI, CSR #6117, RMR, CRR
(01-411414)

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1 them.

2 Q. I won't ask any questions about him then.

3 A. Technology anyway, so it doesn't matter.

4 So I -- his group went through 262.

5 Screven's group keeps going through 266 actually.

6 34266.

7 Q. Okay.

8 A. And 267, this is part of our corporate
9 organization, Larry Ellison's direct reports. So
10 Charles Phillips, for example, reports to him. And
11 the next page -- next two pages, 34268, 69, Safra
12 Catz's organization, they are non-sales related.
13 She's also our CFO. Various internal support
14 organizations.

15 And then on 34270, we have Charles
16 Phillips who is our president and manages all the
17 sales organizations globally for Oracle.

18 Q. Okay.

19 A. And then 271, Juergen Rottler and Juan
20 Jones report -- this is our support organization.
21 So I guess the official title that we talked about
22 earlier is Oracle customer services. I was saying
23 Oracle support before. Juan Jones runs support for
24 North America and the other individuals who are
25 labeled Latin America, EMEA, and I don't know if

1 there's one on here for Asia Pacific or not. But
2 the support renewals organization reports to Juan
3 Jones.

4 Q. For North America?

5 A. For North America. Might have -- in fact,
6 he might have global support renewals.

7 Q. Juan Jones?

8 A. Juan Jones, yeah. The next page goes back
9 to Edwards Screven who we already discussed, more
10 development-oriented, and 34273, John Wookey is in
11 transition out of Oracle.

12 Then we have 274, we hit the technology
13 development organization with Charles Rozwat. The
14 next page, 275, is our applications development
15 organization, Ed Abbo. As you can see, he has 6,211
16 people. They all didn't fit on the page. And the
17 following page, 276, is a breakout of Doris Wong who
18 works for Ed Abbo, and 277, further, 278.

19 Q. Let me just stop you first of all at
20 34276. There are a number of people listed on this
21 page as -- with titles relating to product strategy.
22 Is that a sales-related function?


23 A. No.

24 Q. What kind of function is that?

25 A. These are in the development organization.

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I declare under penalty of perjury that
the foregoing is true and correct. Subscribed at
SAN FRANCISCO, California, this 23 day
of July 2008.



RICHARD BLOTNER

Merrill Legal Solutions



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Do NOT change any of the questions.

After completing your review, please sign the last page of the errata sheet, above the designated "Signature" line and return the transcript to your attorney.

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____ Subject to the above changes, I certify that the transcript is true and correct.

X No changes have been made. I certify that the transcript is true and correct.

Richard H. [Signature]
(signature)

8/19/08
(date)

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CERTIFICATE OF REPORTER

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DATED: 8/5/08

Cynthia A. Pacini
CYNTHIA A. PACINI, CSR No. 6117