

# **EXHIBIT 52**



TEXT REMOVED - NOT RELEVANT

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<b>162:11 -162:12</b>	Agassi, Shai 2009-01-05	00:00:09	00:21:10	00:13:04
Link > 8.1	162:11 MR. PICKETT: Q. Let's turn to			
	162:12 Exhibit 210. 210, please.			

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<b>165:5 -165:8</b>	Agassi, Shai 2009-01-05	00:00:11	00:21:19	00:12:55
Link > 8.2.1	165:5 Q. In the email response that Mr. Zepecki			
	165:6 makes to your "well thought out" email, it starts on			
	165:7 the first page. I want to refer you just to a			
	165:8 single paragraph on the second page.			

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<b>165:17 -165:25</b>	Agassi, Shai 2009-01-05	00:00:17	00:21:30	00:12:44
Link > 8.2.2	165:17 I'm not sure how TomorrowNow gets access			
	165:18 to PeopleSoft software, but it's very likely			
	165:19 that TomorrowNow is using the software			
	165:20 outside the contractual use rights granted to			
	165:21 them, and these use rights could be			
	165:22 terminated by Oracle.			

Agassi Merged PA DC Overlap on 11-3 at 908pm

	165:23	Do you recall reading that in December of			
	165:24	2004?			
Link > Hide	165:25	A. Yes.			
<b>212:18 -212:21</b>	Agassi, Shai	2009-01-05	00:00:06	00:21:47	00:12:27
	212:18	MR. PICKETT: Q. Yes. Mr. Zepecki states			
	212:19	here that the liability of providing system access			
	212:20	is pushed onto the PeopleSoft customer.			
	212:21	How did that work?			
<b>212:24 -213:2</b>	Agassi, Shai	2009-01-05	00:00:12	00:21:53	00:12:21
	212:24	THE WITNESS: The view is that consultants			
	212:25	could support and modify a system as long as it was			
	213:1	the customer's system and they were providing			
	213:2	services.			
<b>213:8 -213:24</b>	Agassi, Shai	2009-01-05	00:00:57	00:22:05	00:12:09
	213:8	Consultants could modify customer systems,			
	213:9	and when they modified customer systems, consultants			
	213:10	could do it under the -- their term of their			
	213:11	consulting agreement with their customers.			
	213:12	MR. PICKETT: Q. Is that something just			
	213:13	generally known by you?			
	213:14	A. Yeah.			
	213:15	Q. Did you ever look at a consultant's			
	213:16	agreement?			
	213:17	A. The entire industry is working in the way,			
	213:18	and including people who consult on Oracle's			
	213:19	systems, that they can come, they work on -- they			
	213:20	work either on premise or off premise in providing			
	213:21	services on top of -- on top of customers' systems.			
	213:22	And as they do so, they're not obliged to get a			
	213:23	separate contract for the software that they're			
	213:24	working on.			
<b>214:12 -214:18</b>	Agassi, Shai	2009-01-05	00:00:11	00:23:02	00:11:12
	214:12	Q. So what's the basis for your stating what			
	214:13	consultants could --			
	214:14	A. Common knowledge in the industry.			
	214:15	Q. Common knowledge in the industry. And			
	214:16	that's something you learned before you came to SAP			
	214:17	or after?			
	214:18	A. Yes, before.			

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