

EXCERPTS FROM ORCL00079745

ORCL00079745-PSFT-JDE_3rd_party_risk_analysis_1-25-08REDACTED.xls



UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA	
Case No.	4:07-cv-01658 P/H/EDL
DEFENDANT Exhibit No.	A-9338
Date Admitted:	
By:	Nicole Heurman, Deputy Clerk

Redacted

Merck & Company Incorporated	2007	E1 & World	1,394,529.00	1,394,529.00	1/8 Merck JDE Renewal is losft in excess of \$1 million. all interested parties are aware of the situation. 12/12 Conference call will take place next week with customer (Martha Love and Cindy House), Chris Madsen, Jason Taylor, Barbara Sharp-Moore, and myself. It's a last ditch effort. A little over a year ago, Merck signed a deal with SAP for 27M. This is a multi-year migration over the next several years to one instance (Merck refers to it as Project Comet). At this point the PSoft HR applications are not part of this migration. But the JDE products are. We are looking at a \$1.4M loss in January. It is also important to point out that Merck is currently facing 5.5B in back taxes owed and about 650M in litigation around VIOX. They are not in good financial shape and things could change. The SAP deal was about relationships and Oracle did not even bid on the deal. Merck did not provide information in the discovery stage to allow our involvement. Keith Block went out and met with Merck but they were intent on SAP. Keith Block has subsequently tried to get a meeting with Merck to salvage any apps business but they won't even take a call from him. We are going to try and get a meeting to do what we can on salvaging the JDE business, but I am not hopeful	P-JD-M04713-001-5	PS3118-US	17-Nov-06	1/8/2007	Lost	AMER	1/1/2007
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