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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19 ORACLE USA, INC., *et al.*,
 20 Plaintiffs,
 v.
 21 SAP AG, *et al.*,
 22 Defendants.
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CASE NO. 07-CV-01658 PJH (EDL)

**DECLARATION OF MARTHA
 JEONG IN SUPPORT OF ORACLE'S
 REPLY RE MOTION TO COMPEL
 PRODUCTION OF DOCUMENTS,
 ANSWERS TO INTERROGATORIES,
 AND RULE 30(b)(6) TESTIMONY
 RELATED TO HYPERION, RETEK,
 AND EBS PRODUCTS**

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1 I, Martha Jeong, declare:

2 1. I am a member of the State Bar of California and an associate at Bingham
3 McCutchen LLP, counsel of record for Plaintiffs Oracle USA, Inc., Oracle International
4 Corporation, and Oracle EMEA Limited (collectively, "Oracle") in this action. I have personal
5 knowledge of the matters stated in this Declaration by virtue of my representation of Oracle in
6 this action. If called and sworn as a witness, I could and would competently testify as to such
7 matters.

8 2. Attached as **Exhibit A** is a true and correct copy of relevant excerpts from the
9 transcripts of the following depositions at which Oracle asked about the HRE products:

- 10 a. Leo Apotheker, taken on October 2, 2008 (Ex. A at 1-3)
- 11 b. Werner Brandt, taken on November 13, 2008 (Ex. A at 4-6)
- 12 c. Christopher Faye, taken on October 22, 2008 (Ex. A at 7-9)
- 13 d. Henning Kagermann, taken on September 25, 2008 (Ex. A at 10-11)
- 14 e. Henning Kagermann, taken on September 26, 2008 (Ex. A at 12-15)
- 15 f. Lesley Loftus, taken on June 13, 2008 (Ex. A at 16-25)
- 16 g. Gerhard Oswald, taken on December 11, 2008 (Ex. A at 26-31)
- 17 h. Stephen Tseng, taken on December 9, 2008 (Ex. A at 32-33)
- 18 i. Jeffrey Word, taken on December 11, 2008 (Ex. A at 34-36)
- 19 j. Thomas Ziemen, taken on October 1, 2008 (Ex. A at 37-50)

20 3. Attached as **Exhibit B** is a true and correct copy of relevant excerpts from the
21 transcript of the deposition of Catherine Hyde, taken on April 1, 2008.

22 4. Attached as **Exhibit C** is a true and correct copy of relevant excerpts from the
23 transcript of the deposition of Bernd Welz, taken on January 23, 2009.

24 5. Attached as **Exhibit D** is a true and correct copy of relevant excerpts from the
25 transcript of the deposition of Sharon Piper, taken on June 25, 2008.

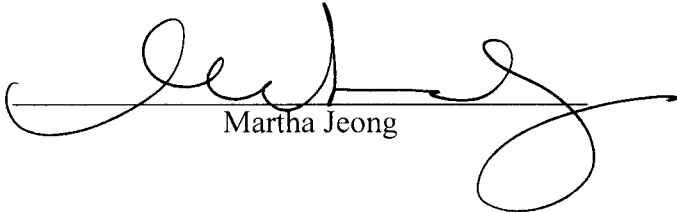
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I declare under penalty of perjury under the laws of the United States that the facts contained within this Declaration are true and correct, and that this Declaration was signed on January 27, 2009, in San Francisco, California.



Martha Jeong