

# **EXHIBIT B**

1 BINGHAM McCUTCHEN LLP  
 2 DONN P. PICKETT (SBN 72257)  
 3 GEOFFREY M. HOWARD (SBN 157468)  
 4 HOLLY A. HOUSE (SBN 136045)  
 5 ZACHARY J. ALINDER (SBN 209009)  
 6 BREE HANN (SBN 215695)  
 7 Three Embarcadero Center  
 8 San Francisco, CA 94111-4067  
 9 Telephone: (415) 393-2000  
 10 Facsimile: (415) 393-2286  
 11 donn.pickett@bingham.com  
 12 geoff.howard@bingham.com  
 13 holly.house@bingham.com  
 14 zachary.alinder@bingham.com  
 15 bree.hann@bingham.com

9 DORIAN DALEY (SBN 129049)  
 10 JENNIFER GLOSS (SBN 154227)  
 11 500 Oracle Parkway, M/S 5op7  
 12 Redwood City, CA 94070  
 13 Telephone: (650) 506-4846  
 14 Facsimile: (650) 506-7114  
 15 dorian.daley@oracle.com  
 16 jennifer.gloss@oracle.com

17 Attorneys for Plaintiffs  
 18 Oracle USA, Inc., Oracle International Corporation, and  
 19 Oracle EMEA Limited

20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA  
 22 SAN FRANCISCO DIVISION

23 ORACLE USA, INC., *et al.*,  
 24 Plaintiffs,  
 25 v.  
 26 SAP AG, *et al.*,  
 27 Defendants.

CASE NO. 07-CV-01658 PJH (EDL)

**PLAINTIFFS' RESPONSES AND  
 OBJECTIONS TO DEFENDANTS'  
 FIFTH SET OF INTERROGATORIES**

**CONTAINS HIGHLY  
 CONFIDENTIAL INFORMATION  
 DESIGNATED PURSUANT TO  
 PROTECTIVE ORDER**

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**INTERROGATORY NO. 33:**

Identify the DOCUMENTS sufficient to show that OEMEA is a successor in interest to each PeopleSoft and J.D. Edwards entity identified in YOUR response to Interrogatory No. 32.

**RESPONSE TO INTERROGATORY NO. 33:**

In addition to its General Objections, which Oracle incorporates here by reference, Oracle objects to the use of the undefined terms “entity” and “successor in interest” on the grounds that they are vague and ambiguous. Oracle further objects to this Interrogatory to the extent it seeks disclosure of information protected from discovery by any privilege, protection or immunity, including but not limited to attorney-client privilege and work product protection. Oracle objects to this Interrogatory to the extent it seeks expert testimony or a legal conclusion. Oracle further objects to this Interrogatory to the extent it calls for information that is not in the possession, custody or control of Oracle. Oracle further objects to this Interrogatory to the extent that it purports to require Oracle to do anything beyond the reasonable search for responsive information required by the Federal Rules of Civil Procedure, in particular with respect to historical information related to PeopleSoft, J.D. Edwards and/or Siebel. Oracle further objects to the extent the Interrogatory purports to require Oracle to create a compilation, abstract, or summary from business records that Oracle has already produced or will produce.

Subject to and without waiver of the foregoing General and Specific objections, Oracle responds as follows:

**Redacted Contract Information**

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**INTERROGATORY NO. 38:**

To the extent that OEMEA licenses any of the REGISTERED WORKS or “provides related services” for any REGISTERED WORK through any subsidiary, as alleged in paragraph 37 of the Third Amended Complaint, identify each such subsidiary.

**RESPONSE TO INTERROGATORY NO. 38:**

In addition to its General Objections, which Oracle incorporates here by reference, Oracle objects to the use of the undefined terms “subsidiary” and “licenses” on the grounds that they are vague and ambiguous. Oracle further objects to this Interrogatory to the extent it seeks disclosure of information protected from discovery by any privilege, protection or immunity, including but not limited to attorney-client privilege and work product protection. Oracle objects to this Interrogatory to the extent it seeks expert testimony or a legal conclusion. Oracle further objects to this Interrogatory to the extent it calls for information that is not in the possession, custody or control of Oracle. Oracle further objects to this Interrogatory to the extent that it purports to require Oracle to do anything beyond the reasonable search for responsive information required by the Federal Rules of Civil Procedure, in particular with respect to historical information related to PeopleSoft, J.D. Edwards and/or Siebel. Oracle further objects to the extent the Interrogatory purports to require Oracle to create a compilation, abstract, or summary from business records that Oracle has already produced or will produce.

Subject to and without waiver of the foregoing General and Specific objections, Oracle

1 responds as follows: Pursuant to Fed. R. Civ. Proc. Rule 33(d), Oracle refers Defendants to  
2 Oracle's production of OEMEA agreements, including but not limited to materials Bates-  
3 Numbered ORCL00385109 through ORCL00385196, ORCL00385272 through  
4 ORCL00385302, and ORCL00385353 through ORCL00385413.

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