

EXHIBIT C

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION
 ORACLE CORPORATION, a Delaware)
 corporation, ORACLE USA, INC., a)
 Colorado corporation, and ORACLE)
 INTERNATIONAL CORPORATION,)
 a California corporation,)
 Plaintiffs,)

)
 vs.) CASE NO. 07-CV-01658 (MJJ)

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

"HIGHLY CONFIDENTIAL"

ORAL VIDEOTAPED DEPOSITION

RODERIC RUSSELL

FEBRUARY 5, 2009

ORAL VIDEOTAPED DEPOSITION OF RODERIC RUSSELL, produced
 as a witness at the instance of the Plaintiffs and duly sworn,
 was taken in the above-styled and numbered cause on the 5th
 day of February, 2009, from 8:56 a.m. to 4:05 p.m., before
 Dana Richardson, Certified Shorthand Reporter in and for the
 State of Texas, reported by computerized stenotype machine at
 the offices of Jones Day, 717 Texas Avenue, Suite 3300,
 Houston, Texas 77002, pursuant to the Federal Rules of Civil
 Procedure and the provisions stated on the record or attached
 hereto.

Job No. 1603-90332

1

2

3 Q. What's the scope of your duties as a consultant for
4 TomorrowNow?

5 A. To basically be available to counsel and answer any
6 questions or clarify anything for them.

7 Q. So, is -- testifying here today is part -- is within
8 the scope of your consultant relationship?

9 MR. FUCHS: Objection, form.

10 A. Not as I understand it. That I would have to testify
11 here today regardless of that relationship.

12 Q. (By Mr. Polito) Are you being compensated to testify
13 here today?

14 A. Not as I understand it, no.

15 Q. Are you compensated when you're -- you make yourself
16 available to counsel on other occasions?

17 A. If they have questions, yes.

18 Q. What's the rate that you're being compensated at to
19 be a consultant for this case?

20 MR. FUCHS: Objection, form.

21 A. **Redacted**

22

23

24

25

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION
 ORACLE CORPORATION, a)
 Delaware corporation, ORACLE)
 USA, INC., a Colorado)
 corporation, and ORACLE)
 INTERNATIONAL CORPORATION,)
 a California corporation,)
 Plaintiffs,)
)
 vs.) CASE NO. 07-CV-01658 (MJJ)
)
 SAP AG, a German corporation,)
 SAP AMERICA, INC., a Delaware)
 corporation, TOMORROWNOW,)
 INC., a Texas corporation, and)
 DOES 1-50, inclusive,)
 Defendants.)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

ORAL VIDEOTAPED DEPOSITION

JOHN TANNER

MARCH 13, 2009

ORAL VIDEOTAPED DEPOSITION OF JOHN TANNER, produced as a witness at the instance of the Plaintiffs and duly sworn, was taken in the above-styled and numbered cause on the 13th day of March, 2009, from 9:27 a.m. to 6:26 p.m., before Dana Richardson, Certified Shorthand Reporter in and for the State of Texas, reported by computerized stenotype machine at the offices of Jones Day, 717 Texas Avenue, Suite 3300, Houston, Texas 77002, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

Job No. 1603-90679

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23 Q. You haven't consulted with anyone regarding this

24 lawsuit?

25 A. What do you mean?

1 Q. Provided consultation services for pay in relation to
2 this lawsuit.

3 A. Provided consultation for pay, yes.

4 Q. Okay. And can you describe that?

5 A. Yes. The agreement is for me to be available to
6 answer any kind of technical question that I can remember from
7 the time at TomorrowNow in case any of the legal team needs --
8 needs help deciphering what -- what they see or find in their
9 research.

10 Q. Okay. And who -- who do you report to for that --
11 that consultation?

12 A. I don't have a manager that I know of.

13 Q. Okay. Who is it that's asking you these questions
14 regarding the lawsuit?

15 A. Counsel, Jones Day counsel.

16 Q. Anyone else other than Jones Day?

17 A. And my personal counsel, Reid Wittliff.

18 Q. And how much are you being paid for providing these
19 consultation services?

20 A. **Redacted**

21

22

23

24

25

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION
 ORACLE CORPORATION, a Delaware)
 corporation, ORACLE USA, INC., a)
 Colorado corporation, and ORACLE)
 INTERNATIONAL CORPORATION,)
 a California corporation,)
 Plaintiffs,)

)
 vs.) CASE NO. 07-CV-01658 (MJJ)

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

"HIGHLY CONFIDENTIAL"

ORAL VIDEOTAPED DEPOSITION

CATHERINE HYDE

FEBRUARY 12, 2009

ORAL VIDEOTAPED DEPOSITION OF CATHERINE HYDE, produced as
 a witness at the instance of the Plaintiffs and duly sworn,
 was taken in the above-styled and numbered cause on the 12th
 day of February, 2009, from 8:37 a.m. to 5:26 p.m., before
 Dana Richardson, Certified Shorthand Reporter in and for the
 State of Texas, reported by computerized stenotype machine at
 the offices of Jones Day, 717 Texas Avenue, Suite 3300,
 Houston, Texas 77002, pursuant to the Federal Rules of Civil
 Procedure and the provisions stated on the record or attached
 hereto.

Job No. 1603-90347

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19 Q Ms. Hyde, the last time we were together you

20 testified that you were being paid by SAP at the rate of

21 **Redacted** month as a consultant, do you recall that?

22 A By TomorrowNow.

23 Q Is that -- are you -- I believe you said that

24 at that time that your contract expired in April of

25 2009?

1 A Yes.

2 Q Has it been extended?

3 A Yes.

4 Q Does it have an expiration date?

5 A Ten months from -- they added ten months.

6 Q They added -- so it ends in February of 2010?

7 A Yes. If that's ten months, yes.

8 Q Has the rate of pay changed?

9 A Yes.

10 Q What has it changed to?

11 A **Redacted**

12

13

14

15

16

17

18

19

20

21

22

23

24

25