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16   UNITED STATES DISTRICT COURT

17   NORTHERN DISTRICT OF CALIFORNIA

18   SAN FRANCISCO DIVISION

19 ORACLE USA, INC. *et al*,   No. 07-CV-01658 PJH (EDL)

20   Plaintiffs,   **DECLARATION OF ROBERT**
         v.   **SCHWENTKER IN SUPPORT OF**
21   **PLAINTIFFS' REPLY IN SUPPORT**
    SAP AG, *et al*.,   **OF MOTION TO COMPEL**
22   **PRODUCTION OF DOCUMENTS**
            Defendants.   **RELATED TO DAMAGES MODEL**
23   **AND INTERROGATORY**
                                                 RESPONSES RELATED TO USE OF
24   **PLAINTIFFS' INTELLECTUAL**
                                                 PROPERTY
25
                                                 Date: August 4, 2009
26   Time: 2:00 p.m.
                                                 Place: Courtroom E, 15th Floor
27   Judge: Hon. Elizabeth D. Laporte
28

                                                 Case No. 07-CV-01658 PJH (EDL)

DECLARATION OF ROBERT SCHWENTKER IN SUPPORT OF PLAINTIFFS' REPLY TO DEFENDANTS'
OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL

1   I, Robert Schwentker, declare as follows:

2   1.   I work for CITENT, Inc. of Costa Mesa, California. I specialize in the

3   design, architecture, development and administration of enterprise-wide IBM collaboration

4   applications, including Lotus Notes. I have personal knowledge of the matters stated in this

5   Declaration by virtue of my retention by Oracle in this action. If called and sworn as a witness, I

6   could and would competently testify as to such matters.

7   2.   Oracle has retained me as an expert in this action to, among other roles,

8   provide insight and technical guidance on issues relating to Lotus Notes and SAS.

9   3.   I am a Senior IBM/Lotus Domino Systems Administrator, Application

10 Developer and Instructor. I have worked on large scale Lotus Notes projects for clients

11 including IBM, Citigroup, Inc., Bank of America, and Kaiser Permanente. My current CV is

12 attached as Exhibit A to this declaration.

13   4.   Defendants' SAS database ("SAS"), built using a Lotus Notes platform,

14 has a highly customizable and technically complex database structure. There are many

15 workflows to enter and update the data in the database, including a wide variety of forms that are

16 filled in and edited as well as dozens of views by which to access the data. In comparison with

17 my other large scale Lotus Notes projects, SAS is particularly complicated in that it contains an

18 especially complex user interface. In addition, the data is recorded in a layered fashion that

19 cannot easily be extracted.

20   5.   Defendants' SAS databases are also very large in size. At the time of

21 Defendants' initial production of SAS, they contained approximately 165,925 documents. After

22 Defendants' latest SAS production in March 2009, the databases contain approximately 369,030

23 documents.

24   6.   SAS is a "non-relational" database, which means that it contains "flat file"

25 documents, rather than data points that are easy to extract and analyze. "Flat files" are data files

26 that contain records with no structured relationships, thereby requiring additional knowledge to

27 interpret these files. The non-relational nature of SAS means that a person possessing expertise

28 in the data is better able to analyze that data.

DECLARATION OF ROBERT SCHWENTKER IN SUPPORT OF PLAINTIFFS' REPLY TO DEFENDANTS'
OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL

1   7.   In order to process the data contained in SAS, I completed the following

2   steps: set-up an IBM Lotus Domino application server; set-up users; installed the SAS databases

3   on the server; reset the database Access Control Lists; made adjustments to the database

4   configuration parameters; full Text Indexed the databases; analyzed the large number of

5   designed and data elements to try understanding the complex workflows and data structures; and

6   instructed users on the basics of using Lotus Notes and how they may access the SAS databases
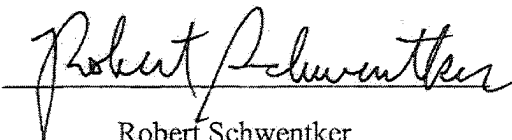
7   to see the data.

8   8.   Even after processing the data as described, it is very difficult to interact

9   with the database specifically to cull out, in an automated way, all information regarding use of

10   local environments due mainly to how the database was designed and where the data was

11   entered.

12   9.   I have used all available means to extract and process data from SAS. At

13   this point, I am aware of nothing further I can do from a technical standpoint to obtain additional

14   useful information from the database.

15

16   I declare under penalty of perjury under the laws of the State of California and the United

17   States that the foregoing is true and correct, and that this Declaration was signed on July 21,

18   2009, in Palo Alto, California.

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20   Robert Schwentker

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