

# **EXHIBIT F**

1 Robert A. Mittelstaedt (SBN 060359)  
JONES DAY  
2 San Francisco Office  
555 California Street, 26<sup>th</sup> Floor  
3 San Francisco, CA 94104  
Telephone: (415) 626-3939  
4 Facsimile: (415) 875-5700  
ramittelstaedt@jonesday.com

5 Tharan Gregory Lanier (SBN 138784)  
6 Jane L. Froyd (SBN 220776)  
JONES DAY  
7 Silicon Valley Office  
1755 Embarcadero Road  
8 Palo Alto, CA 94303  
Telephone: (650) 739-3939  
9 Facsimile: (650) 739-3900  
tglanier@jonesday.com  
10 jfroyd@jonesday.com

11 Scott W. Cowan (*Admitted Pro Hac Vice*)  
Joshua L. Fuchs (*Admitted Pro Hac Vice*)  
12 JONES DAY  
717 Texas, Suite 3300  
13 Houston, TX 77002  
Telephone: (832) 239-3939  
14 Facsimile: (832) 239-3600  
swcowan@jonesday.com  
15 jlfuchs@jonesday.com

16 Attorneys for Defendants  
SAP AG, SAP AMERICA, INC., and  
17 TOMORROWNOW, INC.

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 ORACLE CORPORATION, et al.,  
22 Plaintiffs,  
23 v.  
24 SAP AG, et al.,  
25 Defendants.

Case No. 07-CV-1658 MJJ

**DEFENDANT TOMORROWNOW,  
INC.'S RESPONSE TO PLAINTIFF  
ORACLE USA, INC.'S FIRST SET OF  
INTERROGATORIES (SET ONE)**

**HIGHLY CONFIDENTIAL  
PURSUANT TO PROTECTIVE  
ORDER**

26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**INTERROGATORY NO. 9:**

Describe in as much detail as possible all JD Edwards or PeopleSoft software applications which have ever resided or been installed on any computer, internal or external hard drive, disk, tape, CD-ROM, DVD-ROM, flash drive, portable drive, network, server, or any other type of electronic storage device or medium within Your possession, custody, or control, including but not limited to Identifying the devices on which the applications reside or resided and Describing in as much detail as possible how You obtained the applications and for what purposes You have used them.

**RESPONSE TO INTERROGATORY NO. 9:**

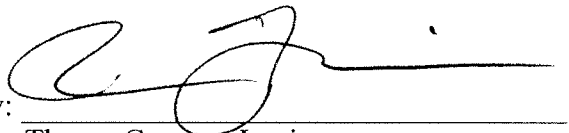
TomorrowNow objects that this interrogatory is compound, unduly burdensome and oppressive to the extent it seeks a specific description of each instance of TomorrowNow's access, on behalf of its customers, to JDE and/or PeopleSoft applications. Subject to and without waiving the foregoing objections and the General Responses and Objections, TomorrowNow responds as follows: TomorrowNow has for many customers made and maintained emergency backup copies of their JDE or PeopleSoft applications; the records of such emergency backup copies will be included in TomorrowNow's document production, and TomorrowNow relies on those records to respond to this interrogatory pursuant to Rule 33(d). TomorrowNow has also for many customers maintained development environments on TomorrowNow's systems, to avoid interference with customer production environments in the development and testing of individual fixes and updates; TomorrowNow's databases, which will be included in TomorrowNow's production of documents (as to relevant customers), contain records of such environments, and

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

TomorrowNow relies on those records to further respond to this interrogatory pursuant to Rule 33(d).

Dated: September 21, 2007

JONES DAY

By:   
Tharan Gregory Lanier

Counsel for Defendants  
SAP AG, SAP AMERICA, INC., and  
TOMORROWNOW, INC.

**PROOF OF SERVICE**

I, Tharan Gregory Lanier, declare:


I am a citizen of the United States and employed in Santa Clara County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 1755 Embarcadero Road, Palo Alto, California 94303. On September 21, 2007, I served a copy of the attached document(s):

**DEFENDANT TOMORROWNOW, INC.'S RESPONSE TO PLAINTIFF  
ORACLE USA, INC.'S FIRST SET OF INTERROGATORIES (SET ONE)  
— HIGHLY CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Palo Alto, California addressed as set forth below.
- by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery.
- by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

Christopher B. Hockett  
Geoffrey M. Howard  
Zachary J. Alinder  
Bree Hahn  
BINGHAM McCUTCHEN LLP  
Three Embarcadero Center  
San Francisco, CA 94111-4067  
*chris.hockett@bingham.com*  
*geoff.howard@bingham.com*  
*zachary.alinder@bingham.com*  
*bree.hahn@bingham.com*

Executed on September 21, 2007, at Palo Alto, California.

By:   
Tharan Gregory Lanier