

EXHIBIT M

1 Robert A. Mittelstaedt (SBN 060359)
JONES DAY
2 San Francisco Office
555 California Street, 26th 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, a Delaware
corporation, ORACLE USA, INC., a Colorado
22 corporation, and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

23 Plaintiffs,

24 v.

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

27 Defendants.
28

Case No. 07-CV-1658 MJJ

**DEFENDANT TOMORROWNOW,
INC.'S RESPONSE TO PLAINTIFF
ORACLE'S SECOND 30(B)(6)
NOTICE OF DEPOSITION OF
TOMORROWNOW**

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TOPIC NO. 1:

Your creation and Use of Customer Environments, including without limitation:

- b. The manner and method by which Customer Local Environments were created, stored, and Used by You;
- c. The identity of all PSFT and JDE Customers for whom You created any type of Customer Local Environment;
- d. The total number of Customer Local Environments created for each identified Customer;

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1. The process by which Customer Local Environments were Used as part of the ordinary course of business for SAP TN, including without limitation to on-boarding of new Customers; support of Customer cases, issues, and problems; reactive and proactive development of bug fixes, updates, patches, explanations, or regulatory changes for Customers; research into and design of those changes; troubleshooting for Customers; and testing of other operating system levels;

RESPONSE TO TOPIC NO. 1(b):

TomorrowNow objects that this Topic is vague and that it is unduly burdensome and overbroad with respect to the term “Used.” Subject to and without waiving the General Objections, TomorrowNow agrees to produce Mark Kreutz, John Baugh and Shelley Nelson as witnesses on Topic 1(b).

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RESPONSE TO TOPIC NO. 1(c):

Subject to and without waiving the General Objections, TomorrowNow agrees to produce Mark Kreutz and John Baugh as witnesses on Topic 1(c).

RESPONSE TO TOPIC NO. 1(d):

Subject to and without waiving the General Objections, TomorrowNow agrees to produce Mark Kreutz and John Baugh as witnesses on Topic 1(d).

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RESPONSE TO TOPIC NO. 1(I):

TomorrowNow objects that this Topic is overbroad and unduly burdensome. Subject to and without waiving the General Objections, TomorrowNow agrees to produce Mark Kreutz, John Baugh and Shelley Nelson as witnesses on Topic 1(I).

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Dated: January 22, 2008

JONES DAY

By: Greg Lanier * signed with permission JL
Tharan Gregory Lanier

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

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PROOF OF SERVICE

I, Jacqueline Lew, 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 January 22, 2008, I served a copy of the attached document(s):

DEFENDANT TOMORROWNOW, INC.'S RESPONSE TO PLAINTIFF ORACLE'S SECOND 30(B)(6) NOTICE OF DEPOSITION OF TOMORROWNOW

- 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 McCUTCHEEN 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 January 22, 2008, at Palo Alto, California.

By:  _____
Jacqueline Lew