

# **EXHIBIT B-7**

JOSH TESTONE June 3, 2009  
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

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-0658
	)	
SAP AG, a German corporation	)	
SAP AMERICA, INC., a Delaware	)	
corporation, TOMORROWNOW,	)	
INC., a Texas corporation,	)	
and DOES 1-50, inclusive,	)	
	)	
Defendants.	)	

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HIGHLY CONFIDENTIAL, ATTORNEYS' EYES ONLY

ORAL/VIDEO DEPOSITION OF

JOSH TESTONE

JUNE 3, 2009

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ORAL/VIDEO DEPOSITION OF JOSH TESTONE, produced as a witness at the instance of the Plaintiffs, was duly sworn, was taken in the above-styled and numbered cause on the JUNE 3, 2009, from 8:33 a.m. to 12:52 p.m., before Chris Carpenter, CSR, in and for the State of Texas, reported by machine shorthand, at the Rotunda

JOSH TESTONE June 3, 2009

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Page 27

09:02 12 Q. (By Ms. Hann) What would your understanding  
09:02 13 be?  
09:02 14 A. An environment, as defined locally inside  
09:02 15 TomorrowNow, would be a database and other software  
09:02 16 programs required to run an instance of that  
09:02 17 environment.

Page Line

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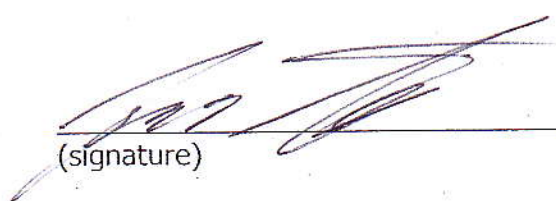
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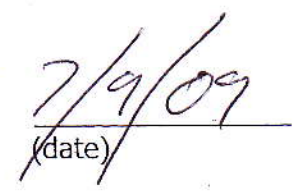
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\_\_\_\_ Subject to the above changes, I certify that the transcript is true and correct.

~~X~~ No changes have been made. I certify that the transcript is true and correct.

  
\_\_\_\_\_  
(signature)

  
\_\_\_\_\_  
(date)