

EXHIBIT 56

THOMAS GENE HURST II September 10, 2009
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

--oOo--

ORACLE CORPORATION, a)	
Delaware corporation, ORACLE)	
USA, INC., a Colorado)	
corporation, and ORACLE)	
INTERNATIONAL CORPORATION, a)	
California corporation,)	
)	
Plaintiffs,)	
)	
vs.)	07-CV-1658 (PJH)
)	
SAP AG, a German corporation,)	
SAP AMERICA, INC., a Delaware)	
corporation, TOMORROWNOW,)	
INC., a Texas corporation, and)	
DOES 1-50, inclusive,)	
)	
Defendants.)	
)	

RULE 30(b) (6) Videotaped Deposition of
THOMAS GENE HURST II
Volume III, Pages 489-585

Thursday, September 10, 2009

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

REPORTED BY: SARAH LUCIA BRANN, CSR 3887 (#422802)

THOMAS GENE HURST II September 10, 2009
HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Page 502

10:19:11 1

10:19:14 2

10:19:18 3

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10:19:23 6

10:19:26 7 Q. At some point in time Safe Passage was

10:19:28 8 expanded to include offerings for Siebel customers;

10:19:32 9 right?

10:19:33 10 A. Yes, it was.

10:19:34 11 Q. When was that?

10:19:34 12 A. The time frame was around

10:19:38 13 September-October of 2005.

10:19:40 14 Q. And what prompted that decision?

10:19:42 15 A. The acquisition of Siebel by Oracle.

10:19:46 16 Q. Anything else?

10:19:49 17 A. Siebel had always been a competitor, and

10:19:51 18 so there was always a certain amount of competition,

10:19:56 19 you know, trying to go after certain customers. But

10:19:59 20 when the acquisition was announced, that's when we

10:20:01 21 decided to move forward with the Siebel Safe Passage

10:20:04 22 program.

10:20:05 23

10:20:07 24

10:20:11 25

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CERTIFICATE OF REPORTER

I, SARAH LUCIA BRANN, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition, review of the transcript [X] was [] was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

DATED: September 14, 2009

Sarah Lucia Brann

SARAH LUCIA BRANN, CSR No. 3887