

# EXHIBIT 7

HENNING KAGERMANN September 25, 2008  
HIGHLY CONFIDENTIAL

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

-----X  
ORACLE CORPORATION, a Delaware :  
corporation; ORACLE USA, INC., :  
a Colorado corporation; and :  
ORACLE INTERNATIONAL :  
CORPORATION, a California :  
corporation, :  
: :  
Plaintiffs, : No. 07-CV-1658  
: (PJH) (EDL)  
vs. :  
: :  
SAP AG, a German corporation; :  
SAP AMERICA INC., a Delaware :  
corporation; TOMORROWNOW, INC., :  
a Texas corporation; and DOES :  
1-50, inclusive, :  
: :  
Defendants. :  
-----X

September 25, 2008  
9:14 a.m.

HIGHLY CONFIDENTIAL  
VOLUME 1

Videotaped Deposition of HENNING  
KAGERMANN, held at the offices of BINGHAM  
McCUTCHEEN LLP, 399 Park Avenue, New York, New  
York, before Frank J. Bas, a Registered  
Professional Reporter and Notary Public of the  
State of New York.

1 HIGHLY CONFIDENTIAL - H. KAGERMANN

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Q. And the second paragraph there says,

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"Interrupt Oracle's acquired maintenance income

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stream, making it difficult for them to invest

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in development of their fusion platform."

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Was that part of the TomorrowNow

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acquisition strategy?

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A. TomorrowNow was part of that

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strategy.

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Q. Was it part of the plan, immediate  
plan, for TomorrowNow to expand its capabilities  
into Europe and Asia?

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A. I think so. Yes.

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15:23:30 19 Q. And then in 8.1 you say -- there's a

15:23:32 20 heading, Battling For Market Share - Oracle.

15:23:36 21 And it says: "Through its acquisitions, Oracle

15:23:38 22 has emerged as the number-one competitor for

15:23:41 23 SAP."

15:23:42 24 A true statement at the time?

15:23:43 25 A. Yes.

HENNING KAGERMANN

September 25, 2008

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18:01:43 2 MR. HOWARD: Let's end for today.

18:01:46 3 THE VIDEO OPERATOR: Going off the

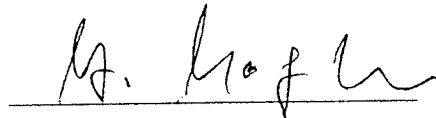
18:01:48 4 record at 6:02, and this will mark the end

18:01:50 5 of Tape Number 4.

18:01:54 6 (Time noted: 6:02 p.m.)

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HENNING KAGERMANN

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11 Subscribed and sworn to before me

12 this \_\_\_\_ day of \_\_\_\_\_, 2008.

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18:02:02

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C E R T I F I C A T E

STATE OF NEW YORK )

: ss.

COUNTY OF NEW YORK )

I, FRANK J. BAS, a Notary Public  
within and for the State of New York, do  
hereby certify:

That HENNING KAGERMANN, the witness  
whose deposition is hereinbefore set forth,  
was duly sworn by me and that such  
deposition is a true record of the  
testimony given by the witness.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage, and that I am  
in no way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 29th day of September  
2008.

  
FRANK J. BAS, RDR