

# EXHIBIT I

JOHN M. BAUGH February 6, 2008  
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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Case No. 07-CV-01658 (MJJ)

ORACLE CORPORATION, a Delaware corporation, ORACLE  
USA, INC., a Colorado corporation, and ORACLE  
INTERNATIONAL CORPORATION, a California corporation,

Plaintiffs,

v.

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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VIDEOTAPE RULE 30(b)(6) DEPOSITION OF:  
JOHN M. BAUGH - February 6, 2008  
TomorrowNow, Inc.  
(Highly Confidential - Attorneys' Eyes Only)

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PURSUANT TO NOTICE, the Videotape Rule  
30(b)(6) deposition of JOHN M. BAUGH was taken on  
behalf of the Plaintiffs at 1700 Lincoln Street, Suite  
4100, Denver, Colorado 80203, on February 6, 2008, at  
1:17 p.m., before Sandra L. Bray, Registered Diplomat  
Reporter, Certified Realtime Reporter, and Notary Public  
within Colorado.

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14:00:09 14 Q. Did you build any of the generic  
14:00:12 15 environments that were used as part of the retrofit  
14:00:15 16 service offering?  
14:00:21 17 A. I don't recall if I did.  
14:00:28 18 Q. Do you know who did build any of those  
14:00:30 19 generic environments that were used as part of the  
14:00:33 20 retrofit service offering?  
14:00:34 21 A. Yes.  
14:00:34 22 Q. Who was that?  
14:00:35 23 A. Andrew Nelson was one person.  
14:00:42 24 Q. Anybody else?  
14:00:45 25 A. Catherine Hyde.

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14:00:51 1 Q. Anybody else that you know who was  
14:00:55 2 responsible for building the generic environments that  
14:00:57 3 were used as part of the retrofit service offering?  
14:01:02 4 A. Not that I could be sure that they did  
14:01:06 5 that.

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14:03:24 18 Q. Well, all together. Thinking about all  
14:03:31 19 of the generic environments that were used for  
14:03:33 20 retrofit service offerings, how many total  
14:03:37 21 environments did that include?

14:03:41 22 A. I'm not sure. I would have to review my  
14:03:45 23 documentation.

14:03:46 24 Q. Can you estimate, ballpark approximately  
14:03:51 25 how many it might have been or within a range?

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14:03:54 1 A. I really can't. I'd want to look at my  
14:03:58 2 documentation.

14:03:58 3 Q. What documentation would that be?

14:04:00 4 A. Documentation that was provided in  
14:04:07 5 preparation for this deposition.

14:04:12 6 Q. Can you be more specific about what that  
14:04:15 7 would be?

14:04:17 8 A. Documentation located in our SAS  
14:04:22 9 databases and documentation in our BakTrak database.

14:04:34 10 Q. And is there a view, as it's used in SAS  
14:04:42 11 database terminology, that would show these generic  
14:04:49 12 environments that were used that you could refer to?

14:04:50 13 A. I think there is a view that does show  
14:04:55 14 them, yes.

14:04:55 15 Q. How would you describe that view if you  
14:04:58 16 were trying to tell somebody where to look in the SAS  
14:05:05 17 database?

14:05:09 18 A. I don't remember the exact path without  
14:05:14 19 having the database in front of me, but in general, I  
14:05:17 20 think it would be the SAS Enterprise database, and  
14:05:22 21 then there's a support view -- view by client support  
14:05:26 22 type. I don't know if it's the exact name, but you  
14:05:30 23 can look at the or view the environments by type of  
14:05:38 24 support.

14:05:47 25 Q. What would be the indicator by type of

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14:05:49 1 support for these generic environments that were used  
14:05:54 2 for the retrofit service offering that you've been  
14:05:57 3 describing?  
14:05:59 4 A. They would fall into the category of  
14:06:03 5 extended support clients.

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14:31:41 17 Q. Any other databases that you asked her  
14:31:45 18 about other than the DAT databases?

14:31:51 19 A. We discussed one database that has a  
14:31:55 20 generic name.

14:32:01 21 Q. Which database is that?

14:32:02 22 A. It's the HR751CSS database.

14:32:14 23 Q. What did you ask her and what did she  
14:32:16 24 say about that database?

14:32:17 25 MR. FUCHS: Objection, form.



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14:32:20 1 A. Could you please restate the question?  
14:32:23 2 Q. What did you ask about that database?  
14:32:25 3 A. I basically asked -- discussed whether  
14:32:31 4 or how this database was currently used.  
14:32:35 5 Q. What did she say?  
14:32:38 6 A. She said there was still or -- there was  
14:32:42 7 four clients being supported on this database.  
14:32:45 8 Q. Did she say who the clients were?  
14:32:49 9 A. Those clients are Advanced Auto Parts,  
14:33:02 10 Bear Sterns, Heritage Valley Health Care, and  
14:33:14 11 Universal City Studios, I think it is.  
14:33:21 12 Q. How are those clients being supported  
14:33:24 13 using the HR751CSS database?  
14:33:31 14 A. For regulatory updates.  
14:33:41 15 Q. Are you saying all of these four clients  
14:33:43 16 are as of now being supported out of this one  
14:33:49 17 database?  
14:33:49 18 A. Correct.  
14:33:54 19 Q. When we use the term "database  
14:34:01 20 HR751CSS," is that the same as an environment?  
14:34:04 21 A. Yes.  
14:34:06 22 Q. So this is a continuing example of using  
14:34:11 23 a generic environment to support multiple customers;  
14:34:15 24 is that right?  
14:34:16 25 A. Yes.

REPORTER'S CERTIFICATE

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

I, SANDRA L. BRAY, Registered Diplomat Reporter, Certified Realtime Reporter, and Notary Public, State of Colorado, do hereby certify that previous to the commencement of the examination, the said JOHN M. BAUGH was duly sworn by me to testify to the truth in relations to the matters in controversy between the parties hereto; that the said deposition was taken in machine shorthand by me at the time and place aforesaid and was thereafter reduced to typewritten form; that the foregoing is a true transcript of the questions asked, testimony given, and proceedings had.

I further certify that I am not employed by, related to, nor of counsel for any of the parties herein nor otherwise interested in the outcome of this litigation.

IN WITNESS WHEREOF, I have affixed my signature this 10th of February, 2008.

My commission expires January 16, 2012.

- Reading and Signing was requested.
- Reading and Signing was waived.
- Reading and Signing is not required.

Sandra L. Bray  
Sandra L. Bray, RMR, ~~QRR~~, RDR  
Certified Realtime Reporter