

Robert A. Mittelstaedt (SBN 060359)
Jason McDonell (SBN 115084)
Elaine Wallace (SBN 197882)
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104
Telephone: (415) 626-3939
Facsimile: (415) 875-5700
ramittelstaedt@jonesday.com
jmcdonell@jonesday.com
ewallace@jonesday.com

Tharan Gregory Lanier (SBN 138784)
Jane L. Froyd (SBN 220776)
JONES DAY
1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: (650) 739-3939
Facsimile: (650) 739-3900
tglanier@jonesday.com
jffroyd@jonesday.com

Scott W. Cowan (Admitted *Pro Hac Vice*)
Joshua L. Fuchs (Admitted *Pro Hac Vice*)
JONES DAY
717 Texas, Suite 3300
Houston, TX 77002
Telephone: (832) 239-3939
Facsimile: (832) 239-3600
swcowan@jonesday.com
jlfuchs@jonesday.com

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

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA; OAKLAND DIVISION

ORACLE USA, INC., et al.,

Plaintiffs,

v.

SAP AG, et al.,

Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DECLARATION OF JOHN YOURI IN SUPPORT OF
DEFENDANTS' RESPONSE TO PLAINTIFFS'
ADMINISTRATIVE MOTION TO PERMIT PLAINTIFFS
TO FILE UNDER SEAL DEFENDANTS'
INFORMATION SUPPORTING PLAINTIFFS' MOTION
TO MODIFY THE PROTECTIVE ORDER AND TO
COMPEL DEPOSITION TESTIMONY AND FURTHER
RESPONSES TO REQUESTS FOR ADMISSIONS**

Date: N/A
Time: N/A
Courtroom: E, 15th Floor
Judge: Hon. Elizabeth D. Laporte

1 I, JOHN YOURI, declare:

2 I am a Senior Director of Global Field Services in the Product Portfolio Management and
3 Sales group at SAP AG, one of the Defendants in this case. I make this declaration based on
4 personal knowledge and, if called upon to do so, could testify competently thereto.

5 1. I am familiar with the information contained in Exhibit T to the Declaration of
6 Chad Russell in Support of Oracle's Motion to Modify the Protective Order and to Compel
7 Deposition Testimony and Further Responses to Requests for Admissions ("Exhibit T"). Exhibit
8 T is a document with a series of slides in a Microsoft PowerPoint document, and I helped prepare
9 those slides. A number of the slides reference and describe SAP's standard license agreements
10 with its customers, the terms of which are non-public, and strategies SAP adopts when
11 negotiating those terms. Public release of this information could adversely effect SAP's future
12 bargaining position with customers and provide competitive advantage to SAP's business
13 competitors. Because of the competitively sensitive information contained in the document, the
14 disclosure of it could likely cause competitive and business injury.

15 I declare under penalty of perjury under the laws of the United States and the State of
16 California that the foregoing is true and correct. Executed this _____ day of December 2009 in
17 Palo Alto, California.

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21 _____
22 John Youri
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