

EXHIBIT H

SHELLEY NELSON December 6, 2007

HIGHLY CONFIDENTIAL

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-01658 (MJJ)
)	
SAP AG, a German)	
corporation, SAP AMERICA,)	
INC., a Delaware corporation,)	
TOMORROWNOW, INC., a Texas)	
corporation, and DOES 1-50,)	
inclusive,)	
Defendants.)	

"HIGHLY CONFIDENTIAL"

ORAL VIDEOTAPED DEPOSITION OF
TOMORROWNOW BY AND THROUGH SHELLEY NELSON

VOLUME 2

DECEMBER 6, 2007

ORAL VIDEOTAPED DEPOSITION OF SHELLEY NELSON, produced as a witness at the instance of the Plaintiffs and duly sworn, was taken in the above-styled and numbered cause on the 6th day of December, 2007, from 9:10 a.m. to 3:53 p.m., before Dana Richardson, Certified Shorthand Reporter in and for the State of Texas, reported by computerized stenotype machine at the offices of Jones Day, 717 Texas, Suite 3300, Houston, Texas 77002, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

Job No. 1603-85363

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11:59:13 15 Q. There's been reference to something called a master

11:59:15 16 fix.

11:59:15 17 A. Yes.

11:59:17 18 Q. Does that have any relationship to the common

11:59:20 19 development process that you just described?

11:59:26 20 A. Only in the sense that it's a -- a document

11:59:28 21 repository for tracking what we're developing, the status of

11:59:35 22 that development, what has been delivered to customers.

11:59:43 23 Q. What is a document repository?

11:59:50 24 A. That was just my definition for this master fix form

11:59:53 25 that's in the SAS database. It -- it basically is our means

11:59:58 1 of documenting the work that's done.
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1 STATE OF TEXAS
2 COUNTY OF HARRIS

3 REPORTER'S CERTIFICATE

4 I, Dana Richardson, a Certified Shorthand Reporter in and
5 for the State of Texas, do certify that this deposition
6 transcript is a true record of the testimony given by the
7 witness named herein, after said witness was duly sworn by me.
8 The witness was requested to review the deposition.

9 I further certify that I am neither attorney or counsel
10 for, related to, nor employed by any parties to the action in
11 which this testimony is taken and, further, that I am not a
12 relative or employee of any counsel employed by the parties
13 hereto or financially interested in the action.

14 I further certify that the amount of time used by each
15 party at the deposition is as follows:

16 Mr. Geoffrey M. Howard - 05:47

17 SUBSCRIBED AND SWORN TO under my hand and seal of office
18 on this the 12th day of December,
19 2007.

20 

21 Dana Richardson, CSR

22 Texas CSR 5386

23 Expiration: 12/31/09

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