EXHIBIT 13

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

CATHERINE HYDE

FEBRUARY 12, 2009

     ORAL VIDEOTAPED DEPOSITION OF CATHERINE HYDE, produced as

a witness at the instance of the Plaintiffs and duly sworn,

was taken in the above-styled and numbered cause on the 12th

day of February, 2009, from 8:37 a.m. to 5:26 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 Avenue, 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. 1603-90347

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24   Q.   (By Mr. Howard)   On the next page of Exhibit 909, at

25   line 434, which is about a third of the way down the page, do

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1   you see it?

2   A.   Yes.

3   Q.   Does that indicate to you that HR70205D environment

4   was used to create HR702CSS environment?

5   MS. LEE: Objection, lack of foundation.

6   A.   Yes.

7   Q.   (By Mr. Howard)   And is the HR702CSS environment, an

8   environment that you used from time to time?

9   A.   I believe so, yes.

10   Q.   What would you use it for?

11   A.   702 critical support.

12   Q.   Okay.   What would you do with it in the course of

13   providing 702 critical support?

14   A.   Anything that was necessary for 702 critical support

15   at the time I was using it.

16   Q.   Can you give some examples?

17   A.   Nothing specific, no.

18   Q.   You can't come up with any examples of how you used

19   that environment?

20   MS. LEE: Objection, asked and answered.

21   A.   Not specific ones.

22   Q.   (By Mr. Howard)   A few lines down at line 442, the

23   HR70205D environment used to create the H702RHIM environment?

24   MS. LEE: Objection, lack of foundation.

25   A.   Yes.

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1   Q.   (By Mr. Howard) And is the RHIM environment an

2   environment for Robert Half?

3   A.   RHI is their three-character identifier. So, yes.

4   Q.   And similarly, a few lines from the bottom at

5   line 749 was the HR702CSS environment used to create the

6   H702RHIM environment?

7   MS. LEE: Objection, lack of foundation.

8   A.   It's a restore, per the notes.

9   Q.   (By Mr. Howard) What does that mean as distinguished

10   from the create environment notes for the HR702RHIM

11   environment at line 442?

12   A.   We just always considered a restore and overlay.

13   Q.   Can you explain that? What's an overlay as

14   distinguished from creating a copy of the environment?

15   A.   Create, it's brand-new.

16   Q.   It's a brand-new copy of whatever the target

17   environment was?

18   A.   Yeah, like the first time. I wouldn't necessarily

19   call it the second time a creation.

20   Q.   But it's a copy of that environment in its entirety

21   as it existed in the source environment?

22   MS. LEE: Objection, vague and ambiguous.

23   A.   Yes.

24   Q.   (By Mr. Howard) And how do you distinguish that from

25   a restore?

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1   A.   A restore is just the same -- it's a restore,

2   refresh. We use those -- well, I use those terms in a -- you

3   know, I mingle them. But a create, to me, is never existed

4   before.

5   Q.   Okay. But do you agree that taking line 749 as an

6   example where the target environment is -- consists of the PS

7   Home and database from the source environment, that that's

8   creating a new copy of that source environment under the name

9   H702RHIM?

10   MS. LEE: Objection, vague and ambiguous, lack

11   of foundation.

12   A.   It's just refreshing it. It was already there. It's

13   just replacing what was there. It's a copy, but it is

14   definitely refreshing an environment.

15   Q.   (By Mr. Howard) Okay. I think I understand the

16   distinction you're making now.

17   So, if I understand your answer, on June 20th,

18   2006, which is the date that the action in line 749 is

19   performed, according to Backtrack, the H702RHIM environment

20   already existed by that name; is that right?

21   MS. LEE: Objection, lack of foundation.

22   A.   Right.

23   Q.   (By Mr. Howard) All right. And that environment

24   that existed by that name is being replaced by a copy of the

25   HR702CSS environment in the file indicated here on line 749?

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1   MS. LEE: Objection, lack of foundation.

2   A.   Yes.

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STATE OF TEXAS

COUNTY OF HARRIS

REPORTER'S CERTIFICATE

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

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

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

Mr. Geoffrey Howard - 06:58

Ms. Jacqueline Ley - 00:00

SUBSCRIBED AND SWORN TO under my hand and seal of office on this the 17th day of February, 2009.

Dana Richardson

Dana Richardson, CSR

Texas CSR 5386

Expiration: 12/31/09

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Corrections to the Transcript of the Deposition of

Catherine Hyde

Taken on February 12, 2009

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Page	Line(s)	Reads	Should Read
109	1	M VB	VB

Catherine L Hyde   _3/3/09_
Witness Signature   **Date**