

EXHIBIT T

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

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 ORACLE USA, INC., et al.,
23 Plaintiffs,
24 v.
25 SAP AG, et al.
26 Defendants.

Case No. 07-CV-1658 PJH
DEFENDANT SAP AG AND SAP AMERICA, INC.'S WRITTEN RESPONSE IN LIEU OF SIEBEL RULE 30(B)(6) TESTIMONY IN RESPONSE TO TOPICS 1-4 AND 9 OF PLAINTIFF'S AUGUST 14, 2009 NOTICE OF DEPOSITION, TOPIC 2 OF PLAINTIFF'S APRIL 16, 2008 NOTICE OF DEPOSITION, AND AUGUST 21, 2009 E-MAIL QUESTIONS FROM B. HANN

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However, SAP America did generally discuss with TN whether TN was complying with the March 2005 SAP AG Executive Board directive with regard to TN's use of local environments. Chris Faye communicated with Andrew Nelson regarding compliance with the March 2005 directive with respect to all TN service lines on several occasions. *See* March 18, 2009 Deposition of Chris Faye, at 48:20-50:6. However, Chris Faye testified that he did not specifically know if TN was creating local environments on its servers for Siebel software. *See id.* at 134:13-135:8. He also testified that he did not remember if the topic came up of whether TN was complying with the directive in connection with its Siebel maintenance specifically, and he did not remember if SAP ever asked TN about how it was providing service for Siebel. *Id.* When SAP first suggested that TN provide support for Siebel software, SAP was not aware at that time that TN would use local environments as part of that provision of support for Siebel software. SAP did not ask TN how it would provide support for TN's Siebel customers, and SAP assumed that TN would implement the March 2005 directive with respect to Siebel just as it was in the process of implementing the directive with respect to TN's support of PeopleSoft and J.D. Edwards customers. *Id.* at 134:13-19.

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PROOF OF SERVICE

I, Laurie Paige Burns, declare:

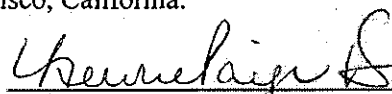
I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 555 California Street, 26th Floor, San Francisco, California 94104. On September 18, 2009, I served a copy of the attached document(s):

**DEFENDANT SAP AG AND SAP AMERICA, INC.'S WRITTEN
RESPONSE IN LIEU OF SIEBEL RULE 30(B)(6) TESTIMONY IN
RESPONSE TO TOPICS 1-4 AND 9 OF PLAINTIFF'S AUGUST 14, 2009
NOTICE OF DEPOSITION, TOPIC 2 OF PLAINTIFF'S APRIL 16, 2008
NOTICE OF DEPOSITION, AND AUGUST 21, 2009 E-MAIL
QUESTIONS FROM B. HANN**

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

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Executed on September 18, 2009, at San Francisco, California.

By: 
Laurie Paige Burns