

1 BINGHAM McCUTCHEN LLP  
 2 DONN P. PICKETT (SBN 72257)  
 3 GEOFFREY M. HOWARD (SBN 157468)  
 4 HOLLY A. HOUSE (SBN 136045)  
 5 ZACHARY J. ALINDER (SBN 209009)  
 6 BREE HANN (SBN 215695)  
 7 Three Embarcadero Center  
 8 San Francisco, CA 94111-4067  
 9 Telephone: (415) 393-2000  
 10 Facsimile: (415) 393-2286  
 11 donn.pickett@bingham.com  
 12 geoff.howard@bingham.com  
 13 holly.house@bingham.com  
 14 zachary.alinder@bingham.com  
 15 bree.hann@bingham.com

9 BOIES, SCHILLER & FLEXNER LLP  
 10 DAVID BOIES (Admitted *Pro Hac Vice*)  
 11 333 Main Street  
 12 Armonk, NY 10504  
 13 Telephone: (914) 749-8200  
 14 dboies@bsfllp.com  
 15 STEVEN C. HOLTZMAN (SBN 144177)  
 16 1999 Harrison St., Suite 900  
 17 Oakland, CA 94612  
 18 Telephone: (510) 874-1000  
 19 sholtzman@bsfllp.com

15 DORIAN DALEY (SBN 129049)  
 16 JENNIFER GLOSS (SBN 154227)  
 17 500 Oracle Parkway, M/S 5op7  
 18 Redwood City, CA 94070  
 19 Telephone: 650.506.4846  
 20 Facsimile: 650.506.7114  
 21 dorian.daley@oracle.com  
 22 jennifer.gloss@oracle.com

23 Attorneys for Plaintiffs  
 24 Oracle USA, Inc., et al.

21 UNITED STATES DISTRICT COURT  
 22 NORTHERN DISTRICT OF CALIFORNIA  
 23 OAKLAND DIVISION

23 ORACLE USA, INC., *et al.*,

24 Plaintiffs,

25 v.

26 SAP AG, *et al.*,

27 Defendants.

Case No. 07-CV-01658 PJH (EDL)

**PLAINTIFFS' WITNESS LIST**

Date: September 30, 2010  
 Time: 9:00 am  
 Place: 3rd Floor, Courtroom 3  
 Judge: Hon. Phyllis J. Hamilton

1 Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle EMEA Limited,  
 2 and Siebel Systems (collectively “Oracle”) respectfully submit this Witness List identifying  
 3 witnesses to be called either live or by deposition at trial, pursuant to the Court’s Pretrial  
 4 Instructions, the Stipulated Revised Case Management Order (“Case Management Order”) filed  
 5 June 11, 2009 (Docket # 325) and Federal Rule of Civil Procedure 26(a). Pursuant to the Court’s  
 6 Pretrial Instructions, this list identifies all witnesses to be called at trial, in person or by  
 7 deposition, other than solely for impeachment or rebuttal purposes. Oracle reserves the right to  
 8 call additional witnesses for purposes of impeachment or rebuttal at trial. Oracle also reserves  
 9 the right to call any witness, either live or by deposition, identified on the witness lists of  
 10 Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. (collectively “SAP”).

11 Oracle’s descriptions below intend to encompass all of Oracle’s affirmative deposition  
 12 designations, also filed today pursuant to the Case Management Order. Oracle reserves the right  
 13 to narrow or amend this Witness List to account for court rulings or further proceedings.

14 Contact information for each witness has been exchanged during the course of discovery.  
 15 All Oracle affiliated witnesses must continue to be contacted through Oracle’s counsel of record.

Witness	Affiliation	Brief Description of Substance of Testimony
Ackermann, Norm	Oracle	PeopleSoft products, development and support; Derivative works
Adler, Todd	Oracle	Copyright registrations; Copyright ownership/authorship
Allison, Richard	Oracle	Oracle license agreements; Oracle licensing practices, pricing and contracts; Oracle Websites and Terms of Use
Angioletti, Thomas	Oracle	Copyrights
Baker, Dawn	Oracle	Copyright ownership/authorship; JD Edwards products, development and support
Barradas, Carlos	Oracle	Oracle licensing practices, pricing and contracts
Brook, Paul	Oracle	Downloading investigation; Oracle support services

<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
Catz, Safra	Oracle	ERP software market and competition; PeopleSoft acquisition; Siebel acquisition; Oracle customer relationships; Oracle financial information; Hypothetical license expectations; Oracle support organization metrics and reports
Chilikapati, Sid	Oracle	Downloading investigation; Damage/harm to Oracle data/systems; PeopleSoft products, development and support
Cummins, Richard	Oracle	Impact of SAP's acquisition of TN on Oracle; Oracle support organization metrics and reports
Ellison, Lawrence	Oracle	History and development of Oracle; Oracle business structure and management; Oracle product development information; Oracle software support; Oracle maintenance revenue; PeopleSoft acquisition; Siebel acquisition; Impact of SAP's acquisition of TN on Oracle; Harm to Oracle; ERP software competition/market; Hypothetical license expectations; Oracle financial results
Fallon, Mark	Oracle	Oracle Database Software products and development
Fowler, Linda	Oracle	PeopleSoft products, development and support; Derivative works
Furey, Marina	Oracle	Downloading investigation; Siebel products, development and support
Guner, Ivgen	Oracle	Oracle financial results and reports
Ishiguro, Tanya	Oracle	PeopleSoft products, development and support; Derivative works
Kees, Jason	Oracle	Downloading investigation; Damage/harm to Oracle data/systems
Kishore, Ann	Oracle	Oracle corporate structure; Licensing; Inter-entity payments
Koehler, Uwe	Oracle	Downloading investigation; Damage/harm to Oracle data/systems
O'Shea, Julie	Oracle	Downloading investigation; Damage/harm to Oracle data/systems; Oracle support services; Customer Connection websites; Oracle Websites and Terms of Use; JD Edwards products, development and support

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<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
Mickelsen, Brady	Oracle	Oracle corporate structure; Copyright ownership; Computer systems ownership; Oracle acquisition of Sun Microsystems
Phillips, Charles	Oracle	Oracle business structure and management; PeopleSoft acquisition; Siebel acquisition; Impact of SAP's acquisition of TN on Oracle; Harm to Oracle; Oracle financial information; Oracle customer relationships; Oracle sales and marketing; Oracle maintenance revenue; Hypothetical license expectations
Ransom, Buffy	Oracle	Customer Connection website; Downloading investigation; Damage/harm to Oracle's data/systems; JD Edwards products, development and support; JD Edwards copyrights; Oracle licensing practices and contracts; Copyright ownership/authorship
Rice, Jason	Oracle	Downloading investigation; Damage/harm to Oracle data/systems; Oracle support services; Customer Connection websites
Rottler, Juergen	Oracle	Oracle support services and materials; Software support industry; Third-party support providers; Oracle maintenance revenue; PeopleSoft acquisition; Siebel acquisition; Impact of SAP's acquisition of TN on Oracle; Oracle customer relationships; Oracle sales and marketing; Oracle support organization metrics and reports
Screven, Edward	Oracle	Oracle product development; PeopleSoft, JD Edwards, and Siebel product lines; Oracle Database Software products; Copyrights; Oracle business structure and management; Derivative works; Harm to Oracle; Oracle financial information; Oracle customer relationships; Oracle sales and marketing; Oracle copyrighted software and support materials
Story, Greg	Oracle	Downloading investigation; Damage/harm to Oracle data/systems; JD Edwards products, development and support
Vardell, Daniel	Oracle	Siebel copyrights; Siebel products, development and support
Veum, Marlene	Oracle	Downloading investigation; Damage/harm to Oracle data/systems

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<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
Agassi, Shai	SAP	SAP's acquisition of TN; TN business case and projections; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of TN acquisition; Safe Passage and SAP TN marketing; SAP TN geographical and product expansions; ERP software competition/market; SAP corporate history and structure
Apotheker, Leo	SAP	SAP's acquisition of TN; TN business case and projections; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of SAP TN acquisition; Safe Passage and SAP TN marketing; SAP TN geographical and product expansions; SAP and SAP TN post-litigation activities
Brandt, Werner	SAP	SAP's acquisition of TN; TN business case and projections; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of TN acquisition; Safe Passage and SAP TN marketing; SAP and SAP TN post-litigation activities
Breuer, Martin	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of SAP TN acquisition; Safe Passage and SAP TN marketing; SAP TN geographical and product expansions; SAP and SAP TN post-litigation activities
Crean, Tim	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities
Faye, Christopher	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; SAP and SAP TN post-litigation activities
Graf, Peter	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of TN acquisition; Safe Passage and SAP TN marketing
Hurst, Terry	SAP	Safe Passage program; Benefits of TN acquisition; SAP's knowledge, oversight and direction of SAP TN's activities
Kagermann, Henning	SAP	SAP's acquisition of TN; TN business case and projections; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of TN acquisition; Safe Passage and SAP TN marketing; SAP TN geographical and product expansions; SAP/TN post-litigation activities; ERP software

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<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
		market; SAP TN downloading from Oracle websites
Mackey, James	SAP	SAP's acquisition of TN
Oswald, Gerhard	SAP	SAP's acquisition of TN; TN business case and projections SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of TN acquisition; Safe Passage and SAP TN marketing; SAP/TN post-litigation activities; SAP TN geographical and product expansions
Plattner, Hasso	SAP	SAP corporate history and structure; SAP's acquisition of TN
Schmidt, Josef	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities
Scholten, Jochen	SAP	Oracle Database Software and SAP TN licenses; Oracle/SAP Reseller Agreement
Schraeder, Georg	SAP	Oracle Database Software and SAP TN licenses; Oracle/SAP Reseller Agreement
Shenkman, Arlen	SAP	SAP's acquisition of TN
Trainor, Scott	SAP	SAP's acquisition of TN; Safe Passage and SAP TN marketing; SAP TN/ Customer communications; SAP TN customer contracts and licensing
Tseng, Stephen	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities
Welz, Bernd	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; SAP TN geographical and product expansions
White, Mark	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of TN acquisition; Safe Passage and SAP TN marketing; SAP/TN post-litigation activities; Oracle Database Software and SAP TN licenses
Word, Jeff	SAP	SAP's acquisition of TN; Safe Passage and SAP TN marketing
Zepecki, John	SAP	SAP's acquisition of TN; TN business case and projections
Ziemen, Thomas	SAP	SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; Benefits of TN acquisition; Safe Passage and SAP TN marketing; SAP and SAP TN post-litigation

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<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
		activities
Arakib, Hadi	TomorrowNow	SAP TN business model and support services; TN copying, modification, public display, distribution and use of Oracle software and support materials
Baugh, John	TomorrowNow	SAP TN downloading from Oracle websites; TN copying, public display, modification, distribution and use of Oracle software; SAP TN business model and support services; SAP TN post-litigation activities; Oracle Database Software and SAP TN licenses; SAP TN spoliation and document destruction
Bowden, Matthew	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials
Buerhle, Jeff	TomorrowNow/ Summit Technologies	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN post-litigation activities
Geib, Bob	TomorrowNow	SAP TN business model and support services; SAP TN/Customer communications; TN sales practices and results; Safe Passage and SAP TN marketing; SAP's knowledge, oversight and direction of SAP TN's activities
Deling, Mark	TomorrowNow	SAP TN business model and support services; SAP TN downloading from Oracle websites; development and testing of SAP TN automated download tools
Garafola, Michael	TomorrowNow	SAP TN business model and support services; SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials
Garcia, Larry	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials

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<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
Garcia, Melissa	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; ; SAP TN downloading from Oracle websites; development and testing of TN automated download tools
Harris, Desmond	TomorrowNow	SAP TN business model and support services; SAP TN downloading from Oracle websites
Hyde, Catherine	TomorrowNow	SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN business model and support services; SAP TN history and corporate structure; SAP TN post-litigation activities
Jin, Jerry	TomorrowNow	SAP TN business model and support services; SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials
Jones, Wanda	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials
Kreutz, Mark	TomorrowNow	SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN business model and support services; SAP TN post-litigation activities; SAP TN spoliation and document destruction; SAP TN/Customer communications; SAP's knowledge, oversight and direction of SAP TN's activities
Lanford, Peggy	TomorrowNow	SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN business model and support services
Lester, Beth	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials
Lester, George	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; Oracle Database Software and SAP TN licenses; development and testing of SAP TN automated download tools; SAP's knowledge, oversight and direction of SAP TN's activities

Witness	Affiliation	Brief Description of Substance of Testimony
Loftus, Lesley	TomorrowNow	Safe Passage and SAP TN marketing; TN customer communications; SAP's knowledge, oversight and direction of SAP TN's activities; SAP TN business model and support services
Martinez, Kimberly	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials
Nelson, Andrew	TomorrowNow	SAP TN history and corporate structure; SAP TN business model and support services; Third party support market; SAP TN copying, modification, distribution and use of Oracle software and support materials; Oracle Database Software and SAP TN licenses; SAP TN/Customer communications; SAP TN sales practices and results; SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; Safe Passage and SAP TN marketing; SAP TN geographical and product expansions; SAP and SAP TN post-litigation activities
Nelson, Gregory	TomorrowNow	TN history and corporate structure; SAP TN business model and support services; SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; SAP TN downloading from Oracle websites; Development and testing of SAP TN automated download tools; SAP TN spoliation and document destruction; SAP and SAP TN post-litigation activities; Oracle Database Software and SAP TN licenses
Nelson, Shelley	TomorrowNow	SAP TN history and corporate structure; SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution, public display and use of Oracle software and support materials; SAP TN business model and support services; SAP TN post-litigation activities; Oracle Database Software and SAP TN licenses; SAP TN/Customer communications; SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities

<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
O'Neil, Owen	TomorrowNow	SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN business model and support services; SAP TN post-litigation activities; SAP TN geographical and product expansions; SAP's knowledge, oversight and direction of SAP TN's activities
Osterloh, Eric	TomorrowNow	SAP TN business model; SAP's acquisition of TN; Safe Passage and SAP TN marketing; SAP TN/Customer communications; SAP TN customer contracts and licensing; SAP TN sales practices and results; SAP's knowledge, oversight and direction of SAP TN's activities
Phillips, Spencer	TomorrowNow	SAP TN business model; Safe Passage and SAP TN marketing; SAP TN/Customer communications; SAP TN customer contracts and licensing; SAP TN sales practices and results; SAP's knowledge, oversight and direction of SAP TN's activities
Piper, Sharon	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials
Ritchie, John	TomorrowNow	SAP TN business model and support services; SAP TN downloading from Oracle websites; development and testing of SAP TN automated download tools; SAP TN spoliation and document destruction
Russell, Roderic	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN spoliation and document destruction; SAP TN post-litigation activities
Shankle, Keith	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN downloading from Oracle websites
Surette, Peter	TomorrowNow	SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN business model and support services; SAP TN history and corporate structure; SAP TN post-litigation activities; SAP TN spoliation and document destruction

<b>Witness</b>	<b>Affiliation</b>	<b>Brief Description of Substance of Testimony</b>
Tanner, John	TomorrowNow	SAP TN business model and support services; SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials
Testone, Josh	TomorrowNow	SAP TN history and corporate structure; SAP TN business model and support services; SAP TN downloading from Oracle websites; SAP TN copying, modification, distribution and use of Oracle software and support materials; development and testing of SAP TN automated download tools; SAP TN post-litigation activities
Thomas, William	TomorrowNow	SAP TN servers and network structure; SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; Oracle Database Software and SAP TN licenses; SAP's knowledge, oversight and direction of SAP TN's activities
VonFeldt, Patti	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN downloading from Oracle websites
Walden, Wade	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN downloading from Oracle websites
Williams, Kathy	TomorrowNow	SAP TN business model and support services; SAP TN copying, modification, distribution and use of Oracle software and support materials; SAP TN post-litigation activities; SAP's knowledge, oversight and direction of SAP TN's activities
Ravin, Seth	TomorrowNow/ Rimini Street	SAP TN history and corporate structure; SAP TN business model and support services; SAP's acquisition of TN; SAP's knowledge, oversight and direction of SAP TN's activities; Safe Passage and SAP TN marketing; SAP TN geographical and product expansions; SAP TN/Customer communications; SAP TN sales practices and results; Rimini Street history and corporate structure; Rimini Street business model
Hallenberger, Tracy	Baker Botts LLP	Baker Botts software licenses and software support services

