

# **EXHIBIT 16**

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02/08/2010 "Scott Cowan" <swcowan@jonesday.com>  
03:42 PM Sub Complete Source Code for the "Oracle products" recited in Paul Pinto's report  
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Dear Geoff:

In Mr. Paul Pinto's report, he recites and draws some conclusions concerning "the most current version of JD Edwards EnterpriseOne, JD Edwards World, PeopleSoft, and Siebel applications." See Pinto report, p. 2. Mr. Pinto purportedly analyzed those four "applications" including, without limitation, the following "software products" –

- JD Edwards EnterpriseOne, Version 8.12,
- PeopleSoft 8.8 Customer Resource Management ("CRM"),
- PeopleSoft 8.8 Human Resources Management System ("HRMS"),
- PeopleSoft 8.4 Financial Supply Chain Management - rev 1 ("FSCM"),
- PeopleSoft 8.0 Student Administration ("Student Admin"), and
- PeopleSoft 8.8 Enterprise Performance Management - rev 1 ("EPM") [*Id.* ]

According to his report, Mr. Pinto performed a Function Point Analysis and/or a COCOMO analysis with respect to the above-listed products. For his part, Mr. Pinto even seems to acknowledge that, in order to analyze the products, it is necessary to analyze the source code for such products. See, e.g., *id.* , p. 10. Although the methodologies used by Mr. Pinto require access to and analysis of the complete source code for such products, Oracle has not produced the complete source code.

Accordingly, so that the defendants' experts can consider the Pinto report and respond to it fully, please immediately produce to us the complete source code for all of the above-listed products (*i.e.*, "the most-current version of JD Edwards EnterpriseOne, JD Edwards World, PeopleSoft, and Siebel applications," as referenced in Mr. Pinto's report). If you believe that you already have produced the complete source code to us (which we do not believe to be the case), please identify the Bates number(s) of the media which you believe contain such complete source code. We are aware of the following materials, but they do not contain the complete source code for those products – and, therefore, they do not permit an analysis of the Pinto report and the conclusions he draws therein.

ORCL00485750  
ORCL00485778  
ORCL00264053  
ORCL00264039  
ORCL00264023  
ORCL00264027  
ORCL00264021  
ORCL00264037  
ORCL00264024  
ORCL00264025

Very truly yours,  
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