

EXHIBIT Q

Ramos, Keren S.

From: MacDonald, Lucia
Sent: Friday, April 09, 2010 7:18 AM
To: 'Jason McDonell'; Elaine Wallace
Cc: House, Holly; Donnelly, Amy; Jindal, Nitin; Lee, Lisa
Subject: FW: Standard Register: Supplemental Statement of Rick Ball

Attachments: [Untitled].pdf



[Untitled].pdf (171
KB)

Counsel,

Oracle objects to the Supplemental Statement of Rick Ball. The Ball Statement was not obtained during discovery, which ended 4 months ago, and it was obtained after Defendants' expert report due date. Statements obtained after an expert due date "do not provide a basis for supplementation since there was nothing to prevent [Defendants] from obtaining them before . . . [the] initial report." December 7, 2010 Email from Elaine Wallace to Nitin Jindal. Ms. Wallace's email confirms that both parties expected the production of customer statements to stop after the later of the end of discovery or the service of initial expert reports.

Oracle further objects to any and all present and future efforts by Defendants to obtain additional customer statements and/or declarations. Please confirm whether you intend to seek additional customer statements or declarations at this late stage in the litigation. Oracle's prejudice from such ongoing gathering of evidence will justify preclusion of any such material.

Regards,
Lucia

-----Original Message-----

From: Braig, Kevin [mailto:kbraig@DINSLAW.com]
Sent: Tuesday, April 06, 2010 11:07 AM
To: Jason McDonell; MacDonald, Lucia; Donnelly, Amy
Subject: Standard Register: Supplemental Statement of Rick Ball

All:

As requested by counsel for SAP, please find attached to this e-mail a supplemental statement executed by Standard Register's Rick Ball. As always, if you have any questions relating to this matter or wish to discuss it further, please do not hesitate to contact me.

Kevin P. Braig
Dinsmore & Shohl, LLP
937-449-6456

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