

# EXHIBIT 3

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16 Attorneys for Defendants  
SAP AG, SAP AMERICA, INC., and  
17 TOMORROWNOW, INC.

18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 ORACLE CORPORATION, et al.,

22 Plaintiffs,

23 v.

24 SAP AG, et al.,

25 Defendants.  
26  
27  
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Case No. 07-CV-1658 MJJ

**DEFENDANT SAP AG'S RESPONSE  
TO PLAINTIFFS' FIRST SET OF  
REQUESTS FOR PRODUCTION OF  
DOCUMENTS (SET ONE)**

1 Answer to the First Amended Complaint, including without limitation all Documents relating to  
2 SAP AG CEO's statement on July 3, 2007 at an SAP AG press conference call that "we will  
3 continue to give the support to TomorrowNow's customers and so they should not be concerned  
4 about this [lawsuit]."

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

6 SAP AG objects that this request seeks documents not reasonably calculated to lead to the  
7 discovery of admissible evidence. Subject to and without waiving the foregoing objection and the  
8 General Responses and Objections, SAP AG will produce relevant, responsive, non-privileged  
9 documents.

10 **REQUEST FOR PRODUCTION NO. 55:**

11 All Documents relating to Department of Justice, Federal Bureau of Investigation, or other  
12 federal, state, or local government agency's request or investigation into the allegations in the  
13 First Amended Complaint, including without limitation all Documents provided by You to any  
14 such agency in response to a request or investigation of those allegations.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

16 In addition to the General Responses and Objections, SAP AG objects that this request  
17 seeks information prohibited from disclosure pursuant to Fed. R. Crim. P. 62 and is not  
18 reasonably calculated to lead to the discovery of admissible evidence and is overbroad.

19 *Miscellaneous*

20 **REQUEST FOR PRODUCTION NO. 56:**

21 All Documents identified, referred to, or consulted by You in preparing Your Responses  
22 to any Interrogatory or Request for Admission propounded by Oracle in this litigation.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

24 Subject to and without waiving the General Responses and Objections, SAP AG will  
25 produce responsive, non-privileged documents.

26 **REQUEST FOR PRODUCTION NO. 57:**

27 All Documents that You contend support any of Your claims or defenses in this litigation.  
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