

EXHIBIT 1

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14 and Oracle International Corporation

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION
18

19 ORACLE CORPORATION, a Delaware
corporation, ORACLE USA, INC., a Colorado
20 corporation, and ORACLE INTERNATIONAL
CORPORATION, a California corporation,
21

22 Plaintiffs,

23 v.

24 SAP AG, a German corporation, SAP
AMERICA, INC., a Delaware corporation,
25 TOMORROWNOW, INC., a Texas corporation,
and DOES 1-50, inclusive,
26

27 Defendants.
28

CASE NO. 07-CV-01658 (MJJ)

**PLAINTIFFS' FIRST SET OF
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT SAP
AMERICA, INC.**

CASE NO. 07-CV-01658 (MJJ)

PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION TO DEFENDANT SAP AMERICA

1 and in some instances identical to Oracle's DST solution."

2

3 *Response to Lawsuit*

4 **REQUEST FOR PRODUCTION NO. 51:**

5 All Documents relating to Your investigation, consideration, and exploration of the
6 allegations in Oracle's Complaint and First Amended Complaint, including without limitation all
7 Documents relating to the "immediate and thorough examination of all questions raised by the
8 Oracle allegations," as described by SAP AG CEO Henning Kagermann on July 3, 2007 at an
9 SAP AG press conference call.

10 **REQUEST FOR PRODUCTION NO. 52:**

11 All Documents relating to the decision to appoint Mark White as SAP TN's Executive
12 Chairman and the decision to "institute changes in TomorrowNow's operational management to
13 ensure compliance with appropriate business practices," as described by SAP AG CEO Henning
14 Kagermann on July 3, 2007 at an SAP AG press conference call.

15 **REQUEST FOR PRODUCTION NO. 53:**

16 All Documents relating to Mark White's decisions, analysis, and actions as SAP TN's
17 Executive Chairman relating to any "enforce[ment of] existing procedures," any
18 "implement[ation] of new policies," and any "renewed training for TomorrowNow employees,"
19 as described by SAP AG CEO Henning Kagermann on July 3, 2007 at an SAP AG press
20 conference call.

21 **REQUEST FOR PRODUCTION NO. 54:**

22 All Documents relating to SAP TN's Customers' reaction to this lawsuit and to Your
23 Answer to the First Amended Complaint, including without limitation all Documents relating to
24 SAP AG CEO's statement on July 3, 2007 at an SAP AG press conference call that "we will
25 continue to give the support to TomorrowNow's customers and so they should not be concerned
26 about this [lawsuit]."

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

28 All Documents relating to Department of Justice, Federal Bureau of Investigation, or

1 other federal, state, or local government agency's request or investigation into the allegations in
2 the First Amended Complaint, including without limitation all Documents provided by You to
3 any such agency in response to a request or investigation of those allegations.

4
5 *Miscellaneous*

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

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

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

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

12 **REQUEST FOR PRODUCTION NO. 58:**

13 All Documents relating to SAP AG CEO Henning Kagermann's July 3, 2007 contention
14 at an SAP AG press conference call that "we believe just downloading support material is not
15 harm to [Oracle]."

16 **REQUEST FOR PRODUCTION NO. 59:**

17 All Documents relating to any of Your affirmative defenses listed in Your Answer.

18 **REQUEST FOR PRODUCTION NO. 60:**

19 All Documents that You may rely upon or introduce at trial in this litigation.

20 **REQUEST FOR PRODUCTION NO. 61:**

21 All Documents described, referred to, or consulted by You in preparing Your initial
22 disclosures in this litigation, as required by Federal Rule of Civil Procedure 26(a)(1)(B).

23 **REQUEST FOR PRODUCTION NO. 62:**

24 All English language versions or translations of any Documents not written in English
25 that are in Your possession, custody, or control and that are responsive to one or more of these
26 Requests.

27 **REQUEST FOR PRODUCTION NO. 63:**

28 All Documents Relating to Your document preservation policies, efforts, and conduct in