

# **EXHIBIT 15**

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Case No. 07-CV-01658 (MJJ)

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

Plaintiffs,

v.

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

Defendants.

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VIDEOTAPE RULE 30(b)(6) DEPOSITION OF:  
JOHN M. BAUGH - February 6, 2008  
TomorrowNow, Inc.  
(Highly Confidential - Attorneys' Eyes Only)

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PURSUANT TO NOTICE, the Videotape Rule  
30(b)(6) deposition of JOHN M. BAUGH was taken on  
behalf of the Plaintiffs at 1700 Lincoln Street, Suite  
4100, Denver, Colorado 80203, on February 6, 2008, at  
1:17 p.m., before Sandra L. Bray, Registered Diplomat  
Reporter, Certified Realtime Reporter, and Notary Public  
within Colorado.

TEXT REMOVED - NOT RELEVANT TO MOTION

15:33:44      15                    Q.    (BY MR. HOWARD) Mr. Baugh, you described  
15:33:54      16                    the extended support model pursuant to which local  
15:34:01      17                    environments were created by TomorrowNow. There's  
15:34:08      18                    another model referred to which sounds like it's  
15:34:11      19                    something different. Is that right?  
15:34:11      20                    A.    Yes.  
15:34:12      21                    Q.    And that's a model that you alluded to  
15:34:16      22                    earlier where local environments were created but  
15:34:21      23                    assigned somehow to the specific customer who had  
15:34:24      24                    provided the software?  
15:34:25      25                    A.    Yes.

15:34:26            1                    Q.    How do you refer to that as opposed to  
15:34:30            2                    the extended support model?  Is there a name for it?

15:34:36            3                    A.    It's just our current model, I guess.  
15:34:42            4                    It doesn't really have any name for it.

15:34:51            5                    Q.    When was the first environment created  
15:34:53            6                    in that current model for the direct support of a  
15:34:59            7                    specific customer?

15:35:06            8                    A.    I don't know.  I haven't been able to  
15:35:09            9                    determine the exact date, but I think it was somewhere  
15:35:14            10                   around 2004, near 2004.

15:35:20            11                   Q.    Was the -- on the -- was the software  
15:35:28            12                   acquisition process for that direct model different  
15:35:34            13                   from what you've described for the extended support  
15:35:38            14                   model?

15:35:45            15                   A.    It was or it is basically the same.  We  
15:35:55            16                   ask the clients to provide copies of their software to  
15:36:00            17                   us, and then we use their software to build their  
15:36:06            18                   dedicated demo support environment.

TEXT REMOVED - NOT RELEVANT TO MOTION

1 I, JOHN M. BAUGH, do hereby certify that I  
2 have read the above and foregoing deposition and that  
3 the same is a true and accurate transcription of my  
4 testimony, except for attached amendments, if any.

5 Amendments attached ( ) Yes ( ) No

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\_\_\_\_\_  
JOHN M. BAUGH

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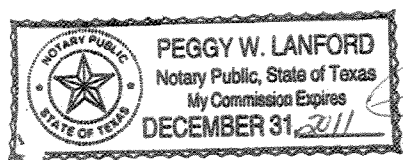
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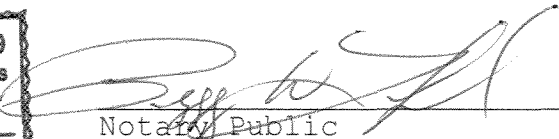
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The signature above of JOHN M. BAUGH was  
subscribed and sworn to before me in the county of  
Brazos, state of Texas,  
this 5th day of March, 2008.



  
\_\_\_\_\_  
Notary Public  
My commission expires:

Oracle Corporation, et al. 2/6/08 (sb)

REPORTER'S CERTIFICATE

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

I, SANDRA L. BRAY, Registered Diplomate Reporter, Certified Realtime Reporter, and Notary Public, State of Colorado, do hereby certify that previous to the commencement of the examination, the said JOHN M. BAUGH was duly sworn by me to testify to the truth in relations to the matters in controversy between the parties hereto; that the said deposition was taken in machine shorthand by me at the time and place aforesaid and was thereafter reduced to typewritten form; that the foregoing is a true transcript of the questions asked, testimony given, and proceedings had.

I further certify that I am not employed by, related to, nor of counsel for any of the parties herein nor otherwise interested in the outcome of this litigation.

IN WITNESS WHEREOF, I have affixed my signature this 10th of February, 2008.

My commission expires January 16, 2012.

- Reading and Signing was requested.
- Reading and Signing was waived.
- Reading and Signing is not required.

Sandra L. Bray  
Sandra L. Bray, RMR, ~~RR~~, RDR  
Certified Realtime Reporter