

EXHIBIT 21

JOB NO. 94821

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE CORPORATION, a)	Case No. 07-CV-01658 (MJJ)
Delaware corporation,)	
ORACLE USA, INC., a)	
Colorado corporation, and)	
ORACLE INTERNATIONAL)	
CORPORATION, a California)	
corporation,)	
)	
Plaintiffs,)	
)	
VS.)	
)	
SAP AG, a German)	
corporation, SAP AMERICA,)	
INC., a Delaware)	
corporation, TOMORROWNOW,)	
INC., a Texas corporation,)	
and DOES 1-50, inclusive,)	
)	
Defendants.)	

ORAL AND VIDEOTAPED DEPOSITION OF
TOMORROWNOW BY AND THROUGH MARK KREUTZ
VOLUME 2
OCTOBER 30, 2007

ORAL AND VIDEOTAPED DEPOSITION OF MARK KREUTZ, produced as a witness at the instance of the Plaintiffs and duly sworn, was taken in the above styled and numbered cause on October 30, 2007, from 8:43 a.m. to 3:31 p.m., before RENE WHITE MOAREFI, CSR, CRR, RPR in and for the State of Texas, reported by machine shorthand, at Jones Day, 717 Texas, Suite 3300 Houston, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record herein.

TEXT REMOVED - NOT RELEVANT TO MOTION

8 Q. So suppose a customer follows your guidance and
9 downloads support materials from Oracle and is now a
10 customer on support with TomorrowNow. How does
11 TomorrowNow provide service to that customer with the
12 support materials the customer has downloaded?

13 A. We actually haven't worked through that process
14 yet; and to be honest with you, those support materials
15 don't -- they're a very small part of our -- our
16 support. I mean, we -- we most often provide, you know,
17 direct development within the customer's environment on
18 their machines; and that's how we do our support,
19 mostly. I mean, we have very senior-level support
20 engineers on the team; and so they -- they can answer a
21 lot of questions right over the phone.

22 So the support materials, you know, have --
23 have not really come into play. We haven't had to ask
24 the customer about the download that they've -- they've
25 done. We haven't done any validation on those

1 downloads. And in some respects, we don't know if they
2 even finished or -- or did them.

3 Q. Now, you said most often you would do direct
4 development within the customer's environment on their
5 machines; is that right?

6 A. I did say that, yes.

7 Q. Could you explain what you mean by that?

8 A. For an issue that may be reported by a
9 customer, we -- we begin to engage with them. We have
10 records of the issue. It's in our SAS system. You've
11 heard that term. And if it requires development --
12 development support or activity, then we would then be
13 working with the customer to gain access to their
14 environments, to their development environment or an
15 environment of their choosing, and troubleshoot the
16 issue.

17 Q. Would that involve a TomorrowNow person being
18 on-site at the customer?

19 A. Possibly.

20 Q. How else would the development within the
21 customer's environment by TomorrowNow occur?

22 A. By remote access.

23 Q. Has this type of support activity been
24 occurring since the litigation was filed?

25 A. Yes.

Mark Kreutz

October 30, 2007

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SIGNATURE PAGE

I, MARK KREUTZ, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted on the correction page.

Mark Kreutz
MARK KREUTZ

THE STATE OF ^{Colorado} ~~TEXAS~~)
COUNTY OF Arapahoe)

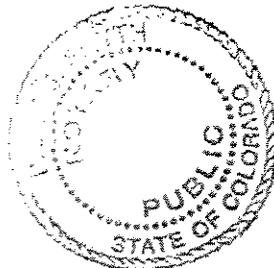
Before me Doris J Smyth on this day personally appeared Mark Kreutz known to me [or proved to me on the oath of _____ or through Colorado driver's license (description of identity card or other document)] to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 26th day of November, 2007.

Doris J Smyth
NOTARY PUBLIC IN AND FOR
THE STATE OF ~~TEXAS~~ Colorado

My Commission Expires:

My Commission Expires 03/04/2008
3600 East Arapahoe Road
Englewood, CO 80112



1 THE STATE OF TEXAS)
COUNTY OF HARRIS)

3 REPORTER'S CERTIFICATION
4 DEPOSITION OF MARK KREUTZ
5 TAKEN OCTOBER 30, 2007

6 I, RENE WHITE MOAREFI, Certified Shorthand Reporter
in and for the State of Texas, hereby certify to the
7 following:

8 That the witness, MARK KREUTZ, was duly sworn by
the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

9 That the deposition transcript was submitted on
_____ to the witness or the attorney for the
10 witness for examination, signature and return to Esquire
Deposition Services, by _____;

11 I further certify that I am neither counsel for,
related to, nor employed by any of the parties in the
12 action in which this proceeding was taken, and further
that I am not financially or otherwise interested in the
13 outcome of the action.

14 Certified to by me this _____ day of
_____, 2007.

15
16
17 *Rene Moarefi*

18 _____
19 RENE WHITE MOAREFI, CSR, CRR, RPR
CSR NO. 3070; Expiration Date: 12-31-08
20 ESQUIRE DEPOSITION SERVICES, LLC
3401 Louisiana, Suite 300
Houston, Texas 77002
21 (713) 524-4600
22
23
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