# **EXHIBIT 26**

Page 1 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION --000--ORACLE CORPORATION, a Delaware corporation, ORACLE ) USA, INC., a Colorado corporation, and ORACLE INTERNATIONAL CORPORATION, a ) California corporation Plaintiffs, ) No. 07-CV-1658 (PJH) vs. SAP AG, a German corporation, ) SAP AMERICA, INC., a Delaware ) corporation, TOMORROWNOW, INC., a Texas corporation, and) DOES 1-50, inclusive Defendants. DEPOSITION OF SETH ADAM RAVIN Thursday, May 21, 2009 Volume 1 (Pages 1 - 275) HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY REPORTED BY: COREY W. ANDERSON, CSR 4096 (419096)

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TEXT REMOVED - NOT RELEVANT TO MOTION

08:20:19	23	Q. Now, at some point you joined with
08:20:26	24	TomorrowNow.
08:20:27	25	Is that right?

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08:20:28	1	A. That is correct.
08:20:29	2	Q. Generally describe the circumstances that
08:20:31	3	lead to your joining up with TomorrowNow.
08:20:37	4	A. In March of 2002 I decided to buy half of
08:20:40	5	TomorrowNow and re-launch the company as a third
08:20:44	6	party support provider.
08:20:51	7	Q. Did you pay consideration for half of the
08:20:54	8	company?
08:20:55	9	A. It was in exchange for the ideas and for
08:20:58	10	working in the company.
08:21:05	11	Q. So if I understand you, the there was a
08:21:10	12	change in TomorrowNow's business model in early
08:21:13	13	2002.
08:21:14	14	Is that right?
08:21:15	15	A. That is correct.
08:21:15	16	Q. And that business model was your idea?
08:21:20	17	A. That is correct.
08:21:21	18	Q. All right. And what was that business
08:21:22	19	model as it became in early 2002?
08:21:27	20	A. Was to offer a third party alternative
08:21:30	21	maintenance product to PeopleSoft customers on older
08:21:35	22	releases.
08:21:37	23	Q. All right. And did that resemble the
08:21:39	24	retrofit program that you had developed at
08:21:41	25	PeopleSoft?

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08:21:43	1	MR. JACOBSON: Object to the form.
08:21:45	2	THE WITNESS: It had similarities.
08:21:48	3	MR. HOWARD: Q. Was it generally referred to
08:21:50	4	within TomorrowNow as the "retrofit model"?
08:21:55	5	A. I think that would be a fair way to say
08:21:59	6	it, yes.

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14	I	declare ur	nder p	penal	cy of p	erjury	the	
15	foregoing i	s true and	corre	ect.	Subscr	ibed a	at	
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#### CERTIFICATE OF REPORTER

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I, COREY ANDERSON, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken down in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of the said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition, review of the transcript [X] was  $[\ ]$  was not requested. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

Corry andersm

COREY ANDERSON, CSR No. 4096