

EXHIBIT 12

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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

"HIGHLY CONFIDENTIAL"

ORAL VIDEOTAPED DEPOSITION OF
TOMORROWNOW BY AND THROUGH SHELLEY NELSON

VOLUME 2

DECEMBER 6, 2007

ORAL VIDEOTAPED DEPOSITION OF SHELLEY NELSON, produced as a witness at the instance of the Plaintiffs and duly sworn, was taken in the above-styled and numbered cause on the 6th day of December, 2007, from 9:10 a.m. to 3:53 p.m., before Dana Richardson, Certified Shorthand Reporter in and for the State of Texas, reported by computerized stenotype machine at the offices of Jones Day, 717 Texas, Suite 3300, Houston, Texas 77002, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

Job No. 1603-85363

TEXT REMOVED - NOT RELEVANT TO MOTION

09:45:29 22 Q. Which -- what material does that include that's
09:45:31 23 manually kept in sync between SAS and dotProject?
09:45:35 24 A. A customer's maintenance end date, the customer's
09:45:39 25 name, the release level, the product lines and products that

09:45:44 1 they have signed up for support.

09:45:50 2 Q. When you say it's manually kept in sync, what do you
09:45:53 3 mean by that?

09:45:55 4 A. The -- the master is the SAS database; but when a
09:46:02 5 project is created in dotProject, that information is
09:46:08 6 duplicated in dotProject.

TEXT REMOVED - NOT RELEVANT TO MOTION

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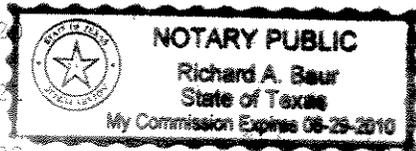
I declare under penalty of perjury that the foregoing is true and correct.

Shelley Nelson

SHELLEY NELSON

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by the witness, SHELLEY NELSON, on this the 5th day of JANUARY, 2008.

Richard A. Baur



NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

My Commission Expires: 8-29-2010

1 STATE OF TEXAS
2 COUNTY OF HARRIS

3 REPORTER'S CERTIFICATE

4 I, Dana Richardson, a Certified Shorthand Reporter in and
5 for the State of Texas, do certify that this deposition
6 transcript is a true record of the testimony given by the
7 witness named herein, after said witness was duly sworn by me.
8 The witness was requested to review the deposition.

9 I further certify that I am neither attorney or counsel
10 for, related to, nor employed by any parties to the action in
11 which this testimony is taken and, further, that I am not a
12 relative or employee of any counsel employed by the parties
13 hereto or financially interested in the action.

14 I further certify that the amount of time used by each
15 party at the deposition is as follows:

16 Mr. Geoffrey M. Howard - 05:47

17 SUBSCRIBED AND SWORN TO under my hand and seal of office
18 on this the 12th day of December,
19 2007.

20 *Dana Richardson*

21 Dana Richardson, CSR
22 Texas CSR 5386
23 Expiration: 12/31/09
24 Merrill Legal Solutions, Firm No. 210
25 315 Capitol, Suite 100
Houston, Texas 77002
Phone (713) 426-0400
Fax (713) 426-0600