

EXHIBIT 7

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09:35:32 24 Q. How long did it take you to perform your
 25 count function points for the Accounts Payable

09:35:40 1 module of JD Edwards EnterpriseOne 8.0?
09:35:47 2 A. Approximately two days.
09:35:48 3 Q. Would it take someone with less experience
09:35:51 4 more time than it took you?
09:35:59 5 A. I would think so.

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09:52:40 20 MR. ALINDER: Q. How many function points
09:52:42 21 did you count for the user manual for Global Payroll
09:52:49 22 for U.S. HRMS 8.9?
09:52:52 23 A. I counted unadjusted function points of
09:52:58 24 1236 and adjusted function points of 1458.
 25 Q. And how long did it take you to perform

09:53:08 1 the count for the Global Payroll manual?

09:53:20 2 A. It was approximately two days.

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10:25:04 13 Q. Okay. Let's just say, then, that there
10:25:07 14 are 1,000 function points rather than 1300, for the
10:25:17 15 sake of estimation. Can you tell me how many
10:25:20 16 function points, then, would be estimated to be
10:25:22 17 within the 360 modules?
10:25:24 18 MR. BUTLER: Objection to the form,
10:25:29 19 incomplete hypothetical, lack of foundation.
10:25:31 20 THE WITNESS: Well, first of all, if
10:25:35 21 you're asking me to perform a mathematical exercise,
10:25:38 22 I'd be glad to do that, but I don't believe the
10:25:41 23 average size of the applications in any of those
10:25:48 24 suites is 1,000. I think it's far less.
 25 MR. ALINDER: Q. You've done no analysis

10:25:52 1 to make sure that that's true, correct?

10:25:55 2 A. I have in the past analyzed many of the

10:25:58 3 PeopleSoft applications, many of the Siebel

10:26:01 4 applications, many of the JD Edwards applications in

10:26:04 5 the past.

10:26:06 6 Q. In this case you analyzed two of them,

10:26:06 7 right?

10:26:07 8 A. That's correct.

10:26:09 9 Q. And the two modules that you came up with,

10:26:12 10 the average is approximately 1300, correct?

10:26:14 11 A. That's correct.

10:26:20 12 Q. Okay. And if you reduce that to just

10:26:24 13 1,000, if you wanted to apply that for all the

10:26:28 14 modules, can you tell me how many function points

10:26:29 15 there would be?

10:26:31 16 A. That would be a mathematical exercise

10:26:35 17 that, you know, I don't agree with anyway. It's

10:26:38 18 like taking two people and asking what their debt is

10:26:41 19 and then applying that -- their average debt to

10:26:46 20 everybody else's debt. You know, it's not -- it's a

10:26:52 21 number that has no meaning, particularly from my

10:26:55 22 experience, when I know that the average size of

10:27:01 23 applications is not 1,000 function points.

10:27:04 24 Q. That's your belief based on some prior

25 experience?

10:27:16 1 A. Significant experience, right.

10:27:17 2 Q. Just stick with me on the hypothetical,

10:27:20 3 then. Okay?

10:27:20 4 A. Sure.

10:27:26 5 Q. Now, if you were to have an average of

10:27:38 6 1,000 for those 360 modules --

10:27:39 7 A. Yes.

10:27:42 8 Q. -- and you were able to count 100 function

10:27:46 9 points per day, can you tell me how many days that

10:27:50 10 would take?

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12:23:54 6 Q. You weren't hired to develop an opinion
12:24:04 7 about what modules TomorrowNow used in performing
12:24:07 8 its maintenance activities?
12:24:08 9 MR. BUTLER: Objection to the form, vague
12:24:10 10 and ambiguous.
12:24:12 11 THE WITNESS: No, I was not hired
12:24:14 12 specifically for that.
12:24:16 13 MR. ALINDER: Q. When did that become
12:24:22 14 part of your report?
12:24:28 15 A. I guess perhaps midway through my report,
12:24:32 16 when I saw that he was alleging, and I know from the
12:24:38 17 fact of having clients that use the software, that
12:24:42 18 for the most part that a use of few modules or a few
12:24:46 19 applications, not the entire suite, that it didn't
12:24:47 20 appear practical that you would evaluate an entire
12:24:51 21 suite of products, even large customers like General
12:24:59 22 Motors.
12:25:01 23 Q. So you assume that TomorrowNow's use of
12:25:05 24 the software was similar to customers that you had
25 looked at in the past; is that correct?

12:25:07 1 MR. BUTLER: Objection to the form,
12:25:10 2 outside the scope of Mr. Garmus's expert testimony,
12:25:15 3 vague and ambiguous.

12:25:17 4 THE WITNESS: I assume that TomorrowNow
12:25:20 5 was supporting a particular customer base and they
12:25:26 6 didn't have need for software or documentation for
12:25:28 7 applications for which they were not providing
12:25:30 8 support.

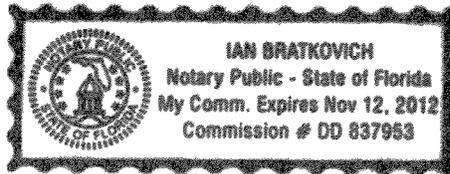
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1 I declare under penalty of perjury, under
2 the laws of the United States, that the foregoing is
3 true and correct. Subscribed at
4 Fleming Island, ^{Florida}~~California~~, this
5 2nd day of July 2010.

6
7 David Garmus July 2, 2010
8
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10 Witness

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12 -----oOo-----
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14
15 THIS 2ND DAY OF JULY 2010 IN CLAY COUNTY
16 FLORIDA



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18 PRODUCED FL DRIVERS LICENSE
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