EXHIBIT F

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Via Email and U.S. Mail

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Re: *Oracle v. SAP*

Dear Josh:

This further responds to your letter dated February 19, 2010, concerning information
about Mr. Mandia's work, and supplements my letters to you dated February 26, 2010
and March 6, 2010 with responses to the remainder of your questions. As I noted in
my last letter, we believe Defendants already possess or could easily derive the
information requested, and that we have no obligation to provide any of it in view of
disclosures we have already made, but we are nevertheless responding in the interest
of an efficient deposition.

20. Determination of First Deliverable in Appendix K, section 3, pages 70-74 *(now
pages 92-95)*: Mandia's first deliverable analysis omits supporting documentation for
Steps 2, 3, 4, 5 and 6.

*ORCLX-MAN-000058 is the data set created from Disc 9, Disc 186 and Hard Drive
78 defined as Delivered Updates and Fixes in Appendix B, Section 5.b, at pages
12-13.*

*Appendix K, Section 3 lists all supporting documentation for Mandiant's
determination of "First Deliverable" as described in Steps 2 through 6 on pages
92-93. This supporting documentation includes the following:*

- *Figure 22 on page 94, a flow chart that describes the processes and
  algorithms Mandiant used to determine which objects were First
  Deliverables, for which fixes, and for which customers;*

- *A narrative description of Mandiant's process, in Appendix K, Section 3, on
  pages 92-93, including Steps 2-6;*

- *Full listings of data sets Mandiant relied on, as well as resulting data, in
  Excel spreadsheets that were produced as ORCLX-MAN-000051, ORCLX-
  MAN-000054, ORCLX-MAN-000055, ORCLX-MAN-000057, ORCLX-MAN-
  000058 and ORCLX-MAN-000071; and,*

- *Mandiant's HRMS Fix Analysis Access database, produced as ORCLX-MAN-000316, from which Excel spreadsheets described in Appendix K were exported.*

As stated in Appendix K, Section 3, Mandiant used a Visual Basic script to execute parts of Figure 22, including the portions that correspond to Steps 5-8 on page 93 of Appendix K, Section 3. Though Defendants did not request it, we are producing as ORCLX-MAN-000386 an exemplar Visual Basic (VB) script, provided by Mandiant for Defendants' convenience, that performs Steps 5-8 of Appendix K, Section 3, along with instructions for its use, produced as ORCLX-MAN-000388. ORCLX-MAN-000386 is designed to be used with ORCLX-MAN-000316 (which contains ORCLX-MAN-000054 and ORCLX-MAN-000058 as database tables) and with certain data and metadata listed in Appendix B, Section 5.b, Step 6. For Defendants' convenience, Mandiant has constructed and we are producing ORCLX-MAN-000387, which contains this same information in a format easily used as an input to ORCLX-MAN-000386.

The following paragraphs reiterate the approach described in the sources of supporting information just described and answer each component of Defendants' question 20, broken out as 20.1 through 20.4, below.

20.1 <u>Appendix K, Section 3, pages 70-74, Steps 2, 3, and 4</u>
Step 2 discusses Mandia's search of every "Delivered Update and Fix" ("DUF") for "each of the 1773 unique Fix IDs in order to associate each file with the specific FIX ID the file addressed." However, Mandia does not provide documentation that shows the data gathered at this step of the process or the specific unique files. In Step 3, Mandia identifies files with a file name or file path containing a Fix ID, yet again he provides no supporting documentation to demonstrate this part of the analysis. In Step 4, Mandia creates a database table combining the results of Steps 2 and 3 that "included every reference to the 1773 unique Fix IDs, and the corresponding files in which these references were contained," yet the Appendix does not provide a citation to this database table.

Steps 2 and 3 were performed as a single operation and the output was placed into a temporary table. As noted in Appendix K, Section 3, Step 4, ORCLX-MAN-000054 contains the results of Steps 2 and 3 combined; in other words, each row in ORCLX-MAN-000054 was generated by either Step 2 or Step 3.

20.2 <u>Appendix K, Section 3, pages 70-74, Step 5</u>

In Step 5, Mandia states that he used the data in ORCLX-MAN000058 and ORCLX-MAN000054 to create a query to determine for each Fix ID the files associated with the Fix ID, the customers receiving each file, and the dates each customer received the file. Mandia does not provide the query or documentation representing the union of ORCLX-MAN000058 and ORCLXMAN000054.

ORCLX-MAN000058 and ORCLX-MAN000054 were joined on MD5 hash. The reference in Step 4 to 18,835 unique files in ORCLX-MAN000054 discloses that files are defined in terms of MD5 hash, since there are 18,835 unique MD5 hashes in ORCLX-MAN000054.

20.3 Appendix K, Section 3, pages 70-74, Steps 5 and 6

Because Mandia did not provide all of his work product for the steps in his First Deliverable analysis, Defendants cannot ascertain with any degree of certainty how Mandia created ORCLX-MAN000055, which the measures in Appendix K, section 4, rely on extensively. Specifically, Defendants do not know how Mandia assigned a date to files from ORCLX-MAN000058 and ORCLX-MAN000054 or what source he used to assign such dates. Defendants need supporting documentation for all of the above described steps in order to evaluate the accuracy of Mandia's methodology.

Step 6 states that Mandia sorted the table in ascending order by Fix ID delivery date. By not providing the exact table, Defendants are unable to sort the data in the manner Mandia describes and evaluate his methodology and conclusions.

Figure 22 includes "JOIN Result Table," a reference table structure for output of the union of ORCLX-MAN000058 and ORCLXMAN000054. JOIN Result Table defines client bundle delivery date as equal to .zip file date. Step 6 likewise states Mandiant's assumption that the last written timestamp for the .zip file containing each object was an approximate date of delivery for that .zip file to the client whose client code appeared in the name of the .zip file.

Defendants could reproduce this data by creating a directory listing of all .zip files contained in Delivered Updates and Fixes as discussed in the response to Question 23, below.

For objects not found inside a .zip file, or where the .zip file did not include a client code, the client code was determined from the file path. For objects not found inside a .zip file, the date of delivery and the last written date were treated as if they were earlier than the last written date of any other .zip file.

Steps 5 and 6 were performed as a single operation; sorted results were placed into a temporary table.

20.4 Appendix K, Section 3, pages 70-74

Defendants understand that the resulting "First Deliverable Table" described in Figure 22, page 73 *(now page 94)* is ORCLX-MAN000055. Please confirm that understanding is correct. Defendants also need further clarification on what is meant by "All DUF Files" and "Fix ID Search Results" in step 3 of Figure 22.

Appendix K, Section 3, Step 7 at page 93 identifies ORCLX-MAN000055 as a First Deliverables table. Appendix K, Section 3, Step 7 also states that DAT and DMS First Deliverables were contained in ORCLX-MAN000071.
"All DUF Files" refers to Delivered Updates and Fixes as defined in Appendix B, Section 5.b, and listed in ORCLX-MAN-000058. "Fix ID Search Results" are the results of the search described in Appendix K, Section 3, Steps 2 and 3, at page 92, and are listed in ORCLX-MAN-000054.

21. Measurements for HRMS Fix Analysis from Appendix K, section 4, pages 74-96 *(now pages 95-118)*: Results and/or documentation to support many of the measures

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described in Appendix K are missing from Mandia's Report and Plaintiffs' production.

<u>Response:</u>

Plaintiffs disagree that results or documentation supporting the measures in Appendix K are missing from the information produced to Defendants. With respect to results, as stated in Appendix K, Section 4, at page 95, ORCLX-MAN-000059 contains all results for all HRMS Fix Analysis measures. All measure definitions can also be found in ORCLX-MAN-000205.

With respect to supporting documentation, many of Defendants' questions, particularly concerning hash values, file paths, or "specific" objects or files, appear to assume that Mandiant mapped every measure back to specific files on Disc 9, Disc 186 or Hard Drive 78.

This assumption is often incorrect. As stated in Appendix B, Section 5.b, at page 13, ORCLX-MAN-000058 provides the metadata and filenames for all 52,651 files of the Delivered Updates and Fixes files. Once ORCLX-MAN-000058 was assembled, neither counting the number of unique MD5 hashes nor counting the number of duplicates of hashes requires that the specific locations of each file be tracked.

In general, however, such a mapping can be created by manipulation of ORCLX-MAN-000058 and ORCLX-MAN-000059. Using Measure 105 as an example, each fix in the retrofit or critical support population corresponds to exactly one row in ORCLX-MAN-000059. Looking at ORCLX-MAN-000059, for each fix, Measure 105 counts the number of unique MD5 hashes for those DAT and DMS files that are First Deliverables for particular customers for that fix. Measure 105A lists the unique MD5 hash values. Measure 118B lists the .zip file names containing all of the First Deliverables for all of the clients that received a particular fix.

Continuing with Measure 105 as an example, for a given fix, Defendants can determine the specific DAT and DMS files on Disc 9, Disc 186 or Hard Drive 78 that were First Deliverables for any customers that received the fix. To do so, Defendants can find every row on ORCLX-MAN-000058 where both the MD5 hash (labeled "Hash Value") and the .zip file name (labeled "ZipFile") are in 105A and 118B, respectively, for the selected row of ORCLX-MAN-000059. The combination of evidence file name (labeled "Evidence") and file path (labeled "Full Path") should identify each first deliverable object. Most often, an object will be uniquely identified as a result of this join. Where it is not, it means that identical objects with the exact same MD5 hash are present in multiple different .zip files with the same name but different file paths; the object in question can thus be retrieved from any of the .zip files resulting from the join.

In addition to the specific responses below, Mandiant generally refers Defendants to those queries in the HRMS Fix Analysis Database, produced as ORCLX-MAN-000316, where the name of the query contains the name of the Measure being calculated.

a. <u>Measure 102A</u>. Mandia did not provide a citation to the resulting document for Measure 102A. Please provide the results of Mandia's analysis in Measure 102A.

<u>Response</u>:

The requested information can be found both in ORCLX-MAN-000059 and in ORCLX-MAN-000069.

b. <u>Measure 103.</u> In Measure 103 Mandia recorded the status of each fix according to data contained within the SAS database. However, he did not provide a citation to the results of his analysis. Please provide the results of Mandia's analysis in Measure 103.

<u>Response</u>:

The requested information can be found both in ORCLX-MAN-000059 and in the individual Master Fix Records in SAS, produced by Defendants in this case.

c. <u>Measure 104</u>. Measure 104 cites to ORCLX-MAN000070 as the results of Mandia's recording of the number of unique File-based objects associated with the First Deliverable of any Fix ID. However, ORCLX-MAN000070 does not provide full information about this measure. ORCLX-MAN000070 merely provides Fix IDs and the associated hash values, but does not provide information about which specific objects relate to the hash values listed. Please identify which objects received the hash values related to the Fix IDs listed so Defendants can evaluate Mandia's analysis.

<u>Response</u>:

This information can be determined through manipulation of ORCLX-MAN-000058 and of Measures 104A and 118B in ORCLX-MAN-000059, as discussed above.

d. <u>Measure 105</u>. Measure 105 attempts to ascertain the number of unique .dat and .dms files associated with the First Deliverable of any Fix ID. Step 5 states that Mandia utilized SQL queries to perform this analysis, however the Report does not identify the specific queries used in this measure. Further, like the resulting document in Measure 104, the document cited in Measure 105, ORCLX-MAN000071, merely provides Fix IDs and hash values and does not provide information about which objects relate to the hash values listed. Defendants need such information to evaluate Mandia's analysis. Please identify which objects received the hash values related to the Fix IDs listed so Defendants can evaluate Mandia's analysis.

<u>Response</u>:

This information can be determined through manipulation of ORCLX-MAN-000058 and of Measures 105A and 118B in ORCLX-MAN-000059, as discussed above.

Furthermore, Measure 105 = Measure 142 + Measure 143, as stated in ORCLX-MAN-000205.

e. <u>Measure 106.</u> Measure 106 claims to represent the total number of unique ".SQR", ".SQC", ".CBL", ".DAT", and ".DMS" files associated with a First Deliverable of a Fix ID. However, Mandia does not provide a document to show the results or total for this measure. Please provide the results of Mandia's analysis in Measure 106.

<u>Response</u>:

Measure 106 = Measure 104 + Measure 105.

ORCLX-MAN-000059 contains both the addends and the sum.

f. <u>Measure 110.</u> Measure 110 attempts to count the total number of copies of First Deliverable files from Measure 107 contained in TomorrowNow's Data Warehouse. The resulting spreadsheet, ORCLX-MAN000077, does not provide file path locations for each file listed, and therefore Defendants cannot evaluate the accuracy of Mandia's counts. Please provide the file path information.

<u>Response</u>:

This data was provided in database table "tblPrB1_Copies_in_DW" within ORCLX-MAN-000316, the HRMS Fix Analysis Database.

g. <u>Measure 111.</u> In Measure 111, Mandia attempts to identify copies of first deliverable files stored in compressed .zip files in Data Warehouse. However, Mandia does not provide the results from Step 2 (the .zip files from Data Warehouse with matching MD5 hash values to .zip files on Hard Drive 78), and therefore Defendants cannot determine which objects Mandia identified and counted in this measure. Defendants need actual file names and the names of the .zip files where the files listed in ORCLX-MAN000078 were located.

<u>Response</u>:

This data was provided in database table "tblZips_fromTN78_DU_DW_Copies" within ORCLX-MAN-000316, the HRMS Fix Analysis Database.

h. <u>Measure 112.</u> In Measure 112, Mandia attempts to identify and count First Deliverable files stored within environment backups from Data Warehouse. Mandia does not provide the MD5 hash values for the files stored within the compressed environment backups he refers to in Step 2. Further, the final results of this measure, ORCLX-MAN-000079, do not show all of the hash values found in Step 2 nor the file names or locations of the files Mandia associated with the listed fixes. Defendants need this information to evaluate the accuracy of Mandia's analysis. Please provide the requested hash value and file name and location information.

<u>Response</u>:

ORCLX-MAN-000319, the Uncompressed Backups Hash Database, contains all hash values and full file paths described in Step 2 of Measure 112. As described in

*Appendix K, Section n, Step 4, Mandiant associated the data in ORCLX-MAN-000072
with the files contained in ORCLX-MAN-000319, joining by MD5 hash value.*

*Mandiant provided the full path of each environment backup used in the Environment
Backup Hash Database in ORCLX-MAN-000329.*

i. <u>Measure 114</u>. In Measure 114, Mandia attempts to calculate the number of objects
attached to Master Fix records in SAS by relying on ORCLX-MAN-000216,
however, he does not provide the actual total number the measure purports to count.
Please provide the results of Mandia's analysis in Measure 114. Additionally,
Defendants cannot determine how Oracle created ORCLX-MAN-000216 or what
exact data sources were used, and therefore cannot evaluate the accuracy of any of the
measures that rely on this document. Thus, please provide a list of the exact sources
(meaning exact documents or views in SAS) used to create ORCLX-MAN-000216
and produce any intermediate records / notes and other documentation recorded
during the creation process of ORCLX-MAN-000216.

<u>Response</u>:

*As stated in Appendix K, Section 4, at page 95, ORCLX-MAN-000059 contains all
results for all HRMS Fix Analysis measures, including "the actual total number" that
Measure 114 counts, in the column with the heading "114."*

*As stated in Appendix K, Section 4, at page 95, ORCLX-MAN-000216 contains data
that Mandiant received from Oracle's counsel, and from which Mandiant drew
relevant data. As stated in Appendix K, section 4.p, Mandiant spot-checked ORCLX-
MAN-000216 to confirm that it counted the number of Cobol, SQR, SQC, DAT, and
DMS files that was attached to individual Master Fix Records in SAS, produced by
Defendants in this case. This count included objects within compressed files (".EXE"
and ".ZIP"), but excluded compressed files that were described within the SAS
records as having been downloaded from Oracle, as stated in Appendix K, section
4.p.*

j. <u>Measures 119 and 119A</u>. In Measure 119 and 119A, Mandia again relies on
ORCLX-MAN-000216 to count the alleged number of customers recorded in SAS as
receiving a fix that were not counted in Delivered Updates and Fixes (Measure 118).
Mandia does not provide any work product or supporting documentation for this
measure, and Defendants cannot determine which customers and associated Fix IDs
Mandia counted in this measure. Please provide the results and work product of
Mandia's analysis in Measures 119 and 119A.

<u>Response</u>:

*As stated in Appendix K, Section 4, at page 95, ORCLX-MAN-000059 contains all
results for all HRMS Fix Analysis measures. Mandiant also drew relevant data from
ORCLX-MAN-000216.*

*Each row of ORCLX-MAN-000059 corresponds to a Fix ID (labeled "Fix ID"). As
stated in Appendix K, Section 4.z, at page 108, Measure 119A records the names of
the customers reported by individual Master Fix Records in SAS, produced by*

Defendants in this case, as having received particular fixes. Mandiant spot-checked ORCLX-MAN-000216 to confirm that listed customer names met the specific criteria listed in Appendix K, Section 4.z, at page 109.

As stated in Appendix K, Section 4.y, at page 108, Mandiant compared the data in 119A to the data in 118A and reported in 119 the number of customers listed in 119A that were not listed in 118A.

k. <u>Measure 120</u>. In Measure 120, Mandia attempts to calculate the total number of unique customers receiving each Fix ID using Delivered Updates and Fixes, the SAS database, and Data Warehouse as sources. In Measure 120A, he adds to this measure a list of unique environment names. Mandia does not provide supporting documentation for either measure nor does he provide a total count of unique customers or environment names. Please provide the results and work product of Mandia's analysis and the counts of unique customers or environments names referenced in Measures 120 and 120A.

<u>Response</u>:

As stated in Appendix K, Section 4, at page 95, ORCLX-MAN-000059 contains all results for all HRMS Fix Analysis measures, including the results for Measures 120 and 120A. Appendix K, Section 4.bb, incorrectly states that Measure 120A listed "environment names." As review of the data in Measure 120A makes apparent, Measure 120A instead listed customer codes.

To obtain Measure 120A for each fix ID, as disclosed in Appendix K, Section 4.bb, at page 109, the three-letter codes listed in 119A were added to the three-letter customer codes listed in 118A and duplicates were eliminated. As disclosed in Appendix K, Section 4.aa, at page 109, Measure 120 counts the number of entries in Measure 120A.

l. <u>Measure 123</u>. Measure 123 attempts to determine the total number of instances in which customers received a First or Identified Deliverable contaminated by use of a generic environment or an environment belonging to another customer or created from the software of another customer. Mandia does not provide any work product or supporting documentation for this measure. Defendants cannot ascertain what analysis, if any, Mandia actually performed in this measure. Please provide the results and work product of Mandia's analysis in Measure 123.

<u>Response</u>:

As stated in Appendix K, Section 4, at page 95, ORCLX-MAN-000059 contains all results for all HRMS Fix Analysis measures, including the results for Measure 123 in the column with the heading "123." As stated in Appendix K, Section 4.ff, Measure 123 is a count of the customers in Measure 123A for each fix.

With respect to Measure 123A, Mandiant drew relevant data from ORCLX-MAN-000216. As indicated in Appendix K, section 4.gg, Mandiant performed a limited review of Measure 123A against ORCLX-MAN-000216 and ORCLX-MAN-00059 to

confirm that listed customers' specific environments had not been used at every stage in the development process for which data was available. Environment data from ORCLX-MAN-000216 was collected from SAS and the "Consultant Docs and Templates" directory, both of which were produced by Defendants.

For further information about how Measure 123 was calculated and reviewed, see, in the Report, ¶¶ 311-312 and 314, reviewing Measure 123 for critical support fix 646 (CSS-TN-1116067702); ¶¶ 322-323 and 325, reviewing Measure 123 for critical support fix 1099 (CSS-TN-1106078243); ¶¶ 335-336, reviewing Measure 123 for retrofit fix 127 (0225046346); and ¶¶ 344-345, reviewing Measure 123 for retrofit fix 201 (2005C-751G). Mandiant specifically reviewed this measure for these fixes.

m. <u>Measure 124</u>. In Measure 124, Mandia purports to calculate the number of customers that were listed in data received for Measure 124A (customers who were part of a source group) and were also listed in Measure 120A (list of unique environment names for customers receiving each Fix ID). Mandia does not provide results of this measure or supporting documentation, and Defendants cannot ascertain what this measure is intended to represent or evaluate its accuracy. Please provide the results and work product of Mandia's analysis in Measure 124.

<u>Response</u>:

As stated in Appendix K, Section 4, page 95, ORCLX-MAN-000059 contains results for all HRMS Fix Analysis measures, including the results for Measure 124 in the column with the heading "124."

Mandiant drew relevant data for Measure 124A from ORCLX-MAN-000216. As stated in Appendix K, section 4.gg, Mandiant performed a limited review of Measure 124A against ORCLX-MAN-000216 and ORCLX-MAN-00059 to confirm that listed customers were referred to in documentation as being a member of a source group of size greater than one. Source group data in ORCLX-MAN-000216 was collected from SAS and the "Consultant Docs and Templates" directory, both of which were produced by Defendants.

For further information about how Measure 124 was calculated and reviewed, see, in the Report, ¶¶ 311-312 and 315, reviewing Measure 124 for critical support fix 646 (CSS-TN-1116067702). Mandiant specifically reviewed this measure for this fix.

n. <u>Measure 126A</u>. Measure 126A Mandia relies on "received data" that allegedly recorded the names of the customers that received fixes created through alleged cross-use or additional-customer contamination to perform a QC to determine this data was accurate. He does not explain the QC process he used to verify the accuracy of the data he received nor does he provide any supporting documentation or work product for this measure. Please provide the results of Mandia's analysis in Measure 126A and better describe the QC process undertaken by Mandia.

<u>Response</u>:

As stated in Appendix K, Section 4, at page 95, ORCLX-MAN-000059 contains all results for all HRMS Fix Analysis measures, including the results for Measure 126A in the column with the heading "126A." As stated in Appendix K, Section 4.ll, Measure 126 is a count of the customer names in Measure 126A for each fix, akin to Measure 123's count of the customer names in Measure 123A.

Mandiant drew relevant data for Measure 126A from ORCLX-MAN-000216. As indicated in Appendix K, section 4.gg, Mandiant performed a limited review of Measure 126A against ORCLX-MAN-000216 and ORCLX-MAN-00059 to confirm either that listed customers were also listed in Measure 123A or that listed customers' specific environments had been used to support additional customers as part of the fix-delivery process. Environment data in ORCLX-MAN-000216 was collected from SAS and the "Consultant Docs and Templates" directory, both of which were produced by Defendants.

For further information about how Measure 126 was calculated and reviewed, see, in the Report, ¶¶ 322-323 and 326, reviewing Measure 126 for critical support fix 1099 (CSS-TN-1106078243); and, ¶¶ 335-336, reviewing Measure 126 for retrofit fix 127 (0225046346). Mandiant specifically reviewed this measure for these fixes.

o. <u>Measures 130-132</u>. In Measures 130-132, Mandia calculates the total percentage of customers that received a file allegedly contaminated by one of the listed methods of contamination Mandia defines in his Report. He does not provide the results of these measures nor any work product or supporting documentation. Please provide the results and work product of Mandia's analysis in Measures 130-132.

<u>Response</u>:
Measure 130 = Measure 127 ÷ Measure 118;
Measure 131 = Measure 128 ÷ Measure 120;
Measure 132 = Measure 129 ÷ Measure 120.

ORCLX-MAN-000059 contains all divisors, dividends, and quotients.

p. <u>Measure 133</u>. In Measure 133, Mandia attempts to calculate the total number of objects associated with first deliverables from six different data sources. He does not provide an actual total in the measure or any supporting documentation or work product. Please provide the results, supporting documentation and work product of Mandia's analysis in Measure 133.

<u>Response</u>:

Measure 133 = Measure 108 + Measure 109 + Measure 110 + Measure 111 + Measure 112 + Measure 113.

ORCLX-MAN-000059 contains all of the addends and the sum.

q. <u>Measure 134</u>. In Measure 134, Mandia attempts to calculate the total number of objects associated with first deliverables from seven different data sources. He does not provide an actual total in the measure or any supporting documentation or work

product. Please provide the results, supporting documentation and work product of Mandia's analysis in Measure 134.

Response:

Measure 134 = Measure 108 + Measure 109 + Measure 110 + Measure 111 + Measure 112 + Measure 113 + Measure 114.

Equivalently, Measure 134 = Measure 133 + Measure 114.

ORCLX-MAN-000059 contains all of the addends and the sum.

r. Measure 135. Measure 135 attempts to count the total number of unique First Deliverable files delivered to more than one customer. Mandia does not provide his full work product for this measure and he does not provide the SQL query he uses in step 2. The Fix ID and hash values listed in ORCLX-MAN000094 are insufficient for Defendants to evaluate the accuracy of Mandia's analysis and counts in this measure. Please update the results of Mandia's analysis in Measure 135 accordingly.

Response:

The HRMS Fix Analysis Database, produced as ORCLX-MAN-000316, contains the requested SQL query, which is labelled "135_qryTaint_Fix_Hash".

Though it is not clear what other information Defendants are seeking, additional information can be determined through manipulation of ORCLX-MAN-000058 and of Measures 135A and 118B in ORCLX-MAN-000059, as discussed above.

s. Measure 136. In Measure 136, Mandia allegedly calculates the number of .dat files associated with a First Deliverable "that were delivered to customers with a mismatched environment reference." However, he does not explain or describe the methodology he used to determine which customers were associated with each hash value. He also does not provide the list of environment names referenced in ".DAT" files that did not contain the three letter customer code of the customer receiving the file he creates in Step 2. Without this information, Defendants cannot determine the accuracy of Mandia's results and methodology in this measure. Please provide the requested information related to the methodology used to determine which customers relate to each hash value, and please also provide the results for step 2 in this measure.

Response:

ORCLX-MAN-000058 provides the metadata and filenames for all 52,651 files of the Delivered Updates and Fixes files, including data as to what customer (labeled "Client") received each hash value (labeled "Hash Value"). As stated in Appendix K, footnote 35 on page 108, hashes were assumed not to have been delivered where Client was equal to "CSS" or "ACL."

A list of environment names can be found in ORCLX-MAN-000095, on a per-fix, per-MD5 hash, per-client basis.

The HRMS Fix Analysis Database, produced as ORCLX-MAN-000316, includes the following queries used to calculate Measure 136:

- *136_qryDMS_DATLink_I_B1_DAT_BADEnv_HASH*
- *136_qryDMS_DATLink_II_B1_DMS_FixInside_DAT_BADEnv_HASH*
- *136_qryDMS_DATLink_III_DMS_NoFix_Inside_BADEnv_HASH*

ORCLX-MAN-000096 contains the de-duplicated set of data that results from combining the results of these three queries. Mandiant used Microsoft Excel's built-in "remove duplicates" function to de-duplicate on fix ID/hash value combinations.

Though it is not clear what other information Defendants are seeking, additional information can be determined through manipulation of ORCLX-MAN-000058 and of Measures 136A and 118B in ORCLX-MAN-000059, as discussed above.

t. <u>Measures 138 and 144</u>. In Measures 138 and 144, Mandia attempts to calculate percentages of unique First Deliverable file-based objects and .dat files that were contaminated in some manner, but he does not provide the resulting percentages or supporting work product. Please provide the results and work product from Measures 138 and 144.

<u>Response</u>:

Measure 138 = Measure 137 ÷ (Measure 104 + Measure 142).
Measure 144 = Measure 136 ÷ Measure 142.

ORCLX-MAN-000059 contains all addends, divisors, dividends, and quotients.

Appendix K, Section 4.eee contains a typographical error; as should be clear from the preceding paragraph of that Section, "Measure 106" should be replaced by "Measure 104 + Measure 142." See also ORCLX-MAN-000205, which states the equations listed above.

u. <u>Measures 139-143</u>. Measures 139-143 provide alleged counts of different objects and file types from ORCLX-MAN000216. However, each of these measures neglects to provide the resulting numbers or work product to support Mandia's counts. Please provide the results and work product from Mandia's analysis in Measure 139-143.

<u>Response</u>:

With respect to Measures 139 and 140, Mandiant drew relevant data from ORCLX-MAN-000216. As disclosed in ¶ 334 of the Mandia report, "Identified Deliverable" is a term used to describe fix deliverables described by SAS.

Measure 139 counts the number of unique SQR, SQC and COBOL files found attached to SAS Master Fix Records, excluding files within compressed files identified as having been downloaded from Oracle. Due to a transcription error, Appendix K,

*Section 4.fff failed to specify that it was limited to SQR, SQC and COBOL files.
However, the limitation is properly described in ORCLX-MAN-000205.*

*Measure 140 counts the number of unique DAT and DMS files found attached to SAS
Master Fix Records, excluding files within compressed files identified as having been
downloaded from Oracle.*

Measure 141 = Measure 139 + Measure 140.
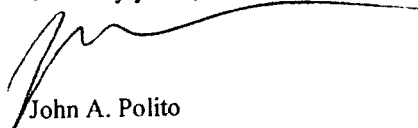*Measure 105 = Measure 142 + Measure 143.*

*Measure 142 is the subset of Measure 105 corresponding only to DAT files. Measure
143 is the subset of Measure 105 corresponding only to DMS files. Due to a
transcription error, the two equations above were collapsed into a single equation
stating that Measure 141 was the sum of Measures 142 + 143, which is incorrect.
Both equations are properly stated in ORCLX-MAN-000205.*

23. Statistics Provided in paragraph 328 (now ¶ 370) in Section IX, page 81 (now
page 97): Mandia does not provide supporting documentation for the number of total
zip files or total number of bundles last recorded on the TomorrowNow systems after
March 22, 2007. Defendants cannot evaluate the accuracy of this summary
conclusion without knowing the methodology, source and seeing the specific results
Mandia used for these numbers. Please provide support for Mandia's conclusions in
Section IX.

Response:

*Mandiant identified the file name and last written date for all .zip files contained on
TN-OR00009557 (Disc 9), TN-OR04497668 (Hard Drive 78), and TN-OR04497673
(Disc 186). The results were sorted by .zip file name and last written date, and
duplicate .zip names were eliminated to arrive at a total number of 4,607 .zip files
and associated last written dates. As discussed above, and as a courtesy to
Defendants, Mandiant has constructed and is producing ORCLX-MAN-000387,
which contains a list of the 4,607 .zip files and associated last written dates.
Mandiant determined whether the "Last Written" date of each .zip file was before or
after March 22, 2007.*

Sincerely yours,

John A. Polito

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