

EXHIBIT A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

--00o--

ORACLE CORPORATION, a Delaware
Corporation; ORACLE, USA, INC.,
a Colorado Corporation, and
ORACLE INTERNATIONAL CORPORATION,
a California Corporation,

Plaintiffs,

Vs.

No. 07-CV-01658-PJH (EDL)

SAP AG, a German Corporation,
SAP AMERICA, INC., a Delaware
CORPORATION, TOMORROWNOW, INC.,
a Texas Corporation, and DOES
1-50, Inclusive,

Defendants.

_____ /

VIDEOTAPED DEPOSITION OF
PAUL PINTO

Wednesday, May 19, 2010

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Reported By: WENDY E. ARLEN, CSR #4355, CRR, RMR
Job 427372

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		1 Q. You said you ignored the database. Was that 2 your decision to ignore it or someone else's?
09:31		3 A. The decision was made with counsel that I 4 should focus on a conservative subset of the software 09:33 5 that was taken, one that I could analyze and 6 validate, and in doing so it was determined that 7 those four product suites would be the best 8 representative proxy.
09:31		9 Q. Representative proxy of what, sir? 09:34 10 A. Of what was taken. 11 Q. And what was your understanding -- I'm sorry. 12 You decided that it would be a conservative subset. 13 Was that your conclusion that it would be 14 conservative or someone else's?
09:31		09:34 15 A. It was Bingham's in conjunction with me to 16 determine that those four products would serve as an 17 appropriate proxy. We also determined that in order 18 to maintain a conservative posture that we would not 19 include the database in my analysis.
09:31		09:34 20 Q. Why do you want to maintain a conservative 21 posture? 22 A. For some of the exact reasons that you had 23 cited.
09:32		24 Q. Which were? 09:35 25 A. It is unknown to me what was taken, what was
	Page 27	Page 29
09:32	3 Q. Is it your understanding that the what you 4 call vast quantities was less than the entirety of 5 the four suites that you analyzed? 6 A. No, it was my understanding that the vast 7 quantities far exceeded the entirety of the four 8 suites I analyzed.	1 downloaded. While it was presented that vast 2 quantities of software and multiple versions of 3 software were taken, it made sense to assume a 4 conservative posture, and in doing so I further 09:35 5 subsetted my analysis to simply focus on the then 6 most current versions of the products.
09:32	9 Q. Why did you choose those particular four 10 suites to analyze then? 11 A. In discussions with counsel, we determined 12 that an appropriate subset for my analysis would be 13 the four suite -- four product suites that I 14 analyzed. In doing so, I ignored the database as 09:33 15 being another object to analyze, so intentionally 16 subsetted the products that were reported to have 17 been taken, downloaded, retrofitted.	7 Q. So your understanding was that your 8 conservative position you took was a subset of the 9 materials that TN -- that TomorrowNow was actually 09:35 10 accused of downloading and copying, right? 11 A. I'll restate it in my terms.
09:33	18 Q. And when you use the word -- you said theft 19 before. I think was a word you used. That's what 09:33 20 you used to mean downloaded and retrofitted by 21 TomorrowNow, that activity? 22 A. Taken, downloaded, copied.	12 Q. Sure. 13 A. My understanding was that the four products 14 that were selected represented a subset. It excluded 09:36 15 the database, which was a big portion of the value. 16 I further subsetted from those products to just focus 17 on the then most current version for my analysis.
09:33	23 Q. Taken is, in your view, downloaded, copied 24 and retrofitted? 09:33 25 A. Yes.	18 Q. Okay. 19 A. Which again reemphasized the conservative 09:36 20 nature of my analysis.
09:33		09:36

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10:06	10:09
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10:07	10:10
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10:08	10:10
10:08	10:10
10:08	10:10
10:08	10:11
10:08	21 Q. Have you ever seen your ten point -- your 22 ten-step program or ten-step procedure used by any 23 certified function point counter?
10:08	24 A. I can't say. 25 Q. I'm asking if you've seen it.

<p style="text-align: right;">Page 58</p> <p>1 A. A qualification. 2 Q. Okay. 3 A. It's not my ten-step process. It's my 4 description of a process. 10:11 5 Q. Okay. 6 A. Okay? I don't -- I don't want you to 7 connote that I built it. This is around in 8 consultancies forever. This is what consultants use 9 to bid on deals.</p> <p>10:11</p> <p>10:11</p> <p>10:12</p> <p>10:12</p>	<p style="text-align: right;">Page 60</p> <p>10:13</p> <p>10:13</p> <p>10:13</p> <p>10:14</p> <p>10:14</p>
<p style="text-align: right;">Page 59</p> <p>10:12</p> <p>10:12</p> <p>10:13</p> <p>10:13</p> <p>10:13</p>	<p style="text-align: right;">Page 61</p> <p>10:14</p> <p>10:14</p> <p>10:14</p> <p>10:15</p> <p>10:15</p>

<p style="text-align: right;">Page 62</p> <p>10:15</p> <p>10:16</p> <p>10:16</p> <p>10:16</p> <p>10:16</p>	<p style="text-align: right;">Page 64</p> <p>10:18</p> <p>10:18</p> <p>10:19</p> <p>10:19</p> <p>10:19</p>
<p style="text-align: right;">Page 63</p> <p>10:17 3 Q. Do you know offhand whether NIIT as a Level 5 4 CMM certified firm has the ten-step process that you 5 report in your report or that you list in your report 6 as one of its written processes? 7 A. I do not know. And I appreciate the comments 8 you're making about the ten-step process. So in 9 support of that, I've provided you with a number of 10 citations that go to multistep processes. 11 Q. What document are you referring to? 12 A. The newer documents that you have received. 13 So if you look at PIN-000101. 14 Q. Okay. 15 A. And under 101 you see a document entitled 16 Software Cost Estimation in 2002 by Capers Jones. He 17 goes through and highlights a ten-step process. 18 Q. Okay. This is -- you're referring to some 19 document that you think endorses your use of the 20 ten-step program that you put in your report? 21 A. What I'm offering to you is that there are 22 multiple portrayals of multiple step processes. The 23 difference between them is the varying levels of 24 details and the various techniques that are applied.</p> <p>10:18</p>	<p style="text-align: right;">Page 65</p> <p>10:19</p> <p>10:20</p> <p>10:20</p> <p>10:20</p> <p>10:20</p>

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11:10	4 Q. You said you're a big fan of function point analysis. How many times have you used function point analysis in the past? 5 6 7 A. In the method that I've used here? 8 Q. Yes. 9 A. At least 50 times. 10 Q. Okay. All of those at Sylvan VI or even previously? 11 12 A. No, previously. 13 Q. Some previous to that, too. 14 A. Yes. So in my previous positions since 2000. 15 16 So my five years at NIIT, my two years at Epicor, my one year at Infor, my last one year at Sylvan VI. 17 Q. So in total NIIT, Epicor, Infor, Sylvan about 50 times or so. 18 19 A. Yes. 20 Q. And that's using the method that you used in your report? 21 22 A. Yes.
11:11	11:13
Page 99	Page 101
11:11	1 Q. I don't know. I don't know what that term -- 2 I've never heard that term. The method, the IFPUG 3 method. Have you ever used the IFPUG method? 4 A. No, the hand-counting method. 5 6 Q. We'll get to where you're getting that. 7 Where are you getting that terminology hand-counting? 8 That came from Mr. Neuendorf? 9 A. No. No, that came from Mr. Garmus. This is a really important point, Mr. Butler. 10 11 Q. Okay. What is that? 12 13 A. Function point is an expression of a size of 14 an application in normalized terms. You can get to a 15 function point through two different methods, one of 16 which is hand-counting as asserted by Mr. Garmus. 17 18 The other one is through backfiring which takes a 19 different approach, an automated approach counting 20 the number of source lines of code and applying a set 21 of metrics to estimate the number of function points. 22 Q. Okay. 23 A. So function point is not an estimating methodology. It's a sizing methodology. 24 Q. Okay. 25 A. As it's professed by IFPUG, right, really goes to hand-counting, and this again is an important point. I realize I'm elaborating a bit further than
11:11	11:13
11:11	11:14
11:12	11:14

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<p>1 you would like me to, but it's important and it's 2 germane. 3 Q. I think I understand your point. 4 MS. HOUSE: No, let him finish. Don't 11:14 5 interrupt. 6 THE WITNESS: You asked me to answer 7 completely. You asked me to answer completely and I 8 want to do that. 9 With regard to IFPUG and its -- its approach 11:14 10 to function point analysis, it espouses 11 hand-counting. So IFPUG's primary revenue streams 12 are associated with training people on hand-counting 13 and certifying hand-counters. The constituency that 14 they serve are hand-counters. So they espouse 11:14 15 hand-counting. 16 There are other schools of thought that shows 17 that you can very accurately obtain the functional 18 size of an application in terms of function point by 19 using backfiring and counting the numbers of lines of 11:15 20 code.</p> <p>11:15</p>	<p>1 Q. Okay. 2 A. I did look at using the hand-counting method. 3 Q. Okay. And you rejected it. 4 A. I did. 11:16</p> <p>11:16</p> <p>12 Q. Do you consider yourself skilled and capable 13 of doing the kind of analysis you did, your ten-step 14 program? 15 A. Yes. 16 Q. You do consider yourself skilled in that 17 process? 18 A. I do. 19 Q. Other than you, do you know of any other 11:16 20 people who have used the ten-step process that's 21 recited in your report to do function point counting? 22 A. Yes, at NIIT it's what they do every day all 23 day. 24 Q. They don't do the method that Mr. Garmus 11:17 25 used.</p>
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<p>11:15</p> <p>11:15</p> <p>11:15</p> <p>11:15</p> <p>22 Q. Did you consider using the method that 23 Mr. Garmus used when you were conducting your 24 analysis that you called function point? 11:16 25 A. I did.</p>	<p>1 A. No, again hand-counting is applicable and it 2 has its place, and hand -- 3 Q. Yeah. I withdraw the question, sir. Please, 4 we'll get through this day a lot quicker and you'll 11:17 5 get back to where you need to go with your business. 6 I didn't ask that question. So please try to focus 7 on my question. 8 MS. HOUSE: He is answering your question. 9 THE WITNESS: Mr. Butler, I am trying to 11:17 10 answer your question. 11 Q. MR. BUTLER: I didn't ask you that question. 12 Let me be very specific. 13 A. Please. 14 Q. Does NIIT, in your experience, to your 11:17 15 knowledge, use the method Mr. Garmus used? 16 A. Yes. 17 Q. And they also use the method you used in 18 your -- 19 A. That's correct. 11:17 20 Q. Other than NIIT, do you know of any company 21 or individual that uses the method that you used in 22 your report? 23 A. Yes. 24 Q. What company? 11:17 25 A. Wipro.</p>

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<p>1 Q. Say it again. Woodpro? 2 A. Wipro, W-i-p-r-o. 3 Q. Okay. 4 A. Infosys, TCS, HCL, the late great former 11:18 5 Satyam. 6 Q. Could you spell that? 7 A. S-a -- S-a-t-y-a-m, I believe. 8 Q. Okay. 9 A. And I can continue. These are all CMM Level 11:18 10 5, typically Indian based firms. 11 Q. Okay. And your understanding is these firms 12 that you mentioned from Wipro on to Satyam, those 13 firms use the ten-step procedure that you used in 14 your report? 11:18 15 A. They use a similar procedure. 16 Q. But not identical. 17 A. It would be hard for me to say if it's 18 identical. 19 Q. Okay. You don't know whether it's identical, 11:18 20 but you believe it's similar. 21 A. Again. 22 Q. Yes? 23 A. Yes.</p> <p>11:19</p>	<p>11:20 11:20 11:20 11:20 11:20 11:20 11:20 11:20 11:20</p>
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<p>11:19 11:19 11:19 11:19 11:20</p>	<p>11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21 11:21</p> <p>14 How many times have you used COCOMO, any 15 model of it, to estimate software size or cost? 16 A. At least 50 times. 17 Q. And at NIIT and the other employers and at 18 Sylvan just like the list of function point? 19 A. Correct. So since -- since 2001. 20 Q. Since 2001. 21 A. Yes. 22 Q. About 50 times, okay? 23 A. No, at least 50 times. 24 Q. I beg your pardon. At least 50 times. And 11:21 25 when you ran the COCOMO model -- I'm sorry. You said</p>

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<p>1 since 2001? 2 A. Yes. 3 Q. Is that right? In the at least 50 times that 4 you've run or analyzed software development using the 11:22 5 COCOMO model, have you always used COCOMO II or have 6 you used some other version of COCOMO? 7 A. No, COCOMO II. 8 Q. Okay. Never any predecessor to COCOMO II? 9 A. Well, COCOMO II includes a number of things 11:22 10 but -- 11 Q. Right. 12 A. No, I had not used the predecessor to COCOMO 13 II. 14 Q. Okay. And in analyzing the software using 15 the COCOMO model, have you consistently used COCOMO 16 II 1997? 17 MS. HOUSE: Asked and answered. You can 18 answer it again. 19 THE WITNESS: I've used COCOMO II '97, I've 11:22 20 also used COCOMO II 2000. 21 Q. MR. BUTLER: Okay. 1998, did you ever use 22 that one? 23 A. I wouldn't know it as '98. 24 Q. Okay. 11:22 25 A. The models I know are '97 and 2000.</p>	<p>11:24 11:24 11:24 11:25 11:25 24 Q. Okay. And why did you think that the 81 or 25 so companies that were used to calibrate the 1997</p>
Page 111	Page 113
<p>1 Q. Okay. In your report you used COCOMO II 2 1997. 3 A. That's correct. 4 Q. Why did you use that instead of COCOMO II 11:23 5 2000? 6 A. Because I found the '97 model to be better 7 calibrated for use on what I had known as a 8 modernization effort, right, looking at taking an 9 existing code base, performing backfiring to get the 11:23 10 number of lines of code and using that as the input.</p> <p>11:23</p> <p>11:23</p> <p>11:23</p>	<p>1 model would give a more appropriate real world answer 2 than the 161 data points that were used to calibrate 3 the 2000 model? 4 MS. HOUSE: Objection, vague. 11:25 5 THE WITNESS: Again, my election to use '97 6 was based on my experience with the model which I 7 have over 50 data points of my own use, proven in the 8 real world, and this is a very relevant point, where 9 when I've conducted the estimate and have won the 11:26 10 client's business, it's then on me to deliver against 11 those estimates, and I am monitored and tracked 12 against them. 13 So I go with the model that I know works and 14 that has been proven to me in the past in the exact 11:26 15 same scenario where estimating an existing code base 16 for a commercial software provider.</p> <p>11:26</p> <p>11:27</p>

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11:27		11:30
11:27		11:30
11:27	15 Q. Okay. It's just your own personal view based 16 on your at least 50 uses of COCOMO.	11:30
11:28	17 A. Well, it's beyond my personal view. So, 18 again, I've done this with NIIT, who uses the '97 19 model for efforts like this, uses the 2000 model for 20 estimating new application development efforts.	11:30
11:28	21 Again, in my employment in Epicor, same 22 scenario where I was asked to estimate the cost 23 associated with migrating the Epicor product suite 24 from progress to dot net, which is a similar and 25 analogous scenario. There did a function point count	11:31
Page 115		Page 117
11:28	1 using backfiring, fed it into a '97 COCOMO model to 2 come up with the estimates. And again at Infor for a 3 litany of products. 4 Q. Okay. So based on your personal experience 5 at NIIT and your previous employers, including your 6 current employer, Sylvan, that's the basis for your 7 statement that you believe the 1997 model is more 8 appropriate when backfiring than the 2000 model, 9 right?	11:31
11:28	10 MS. HOUSE: Objection, misstates his 11 testimony. He had other stuff in there.	11:31
11:29	12 THE WITNESS: Again, these employers used the 13 '97 model as well and found it to be more accurate 14 when estimating what in their parlance is a 15 modernization effort, which is analogous to what is 16 being applied here.	11:31
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11:38	11:40
Page 123	Page 125
11:38	11:41
11:38	11:41 10 Q. Okay. But you don't know one way or the 11 other whether that includes all of the software in 12 the four suites or some subset of that. 13 A. Again, represented to me in my understanding 14 that there was vast quantities of copying that 15 occurred -- 16 Q. I didn't ask you that. 17 A. -- that spanned the products. 18 MS. HOUSE: Let him finish. Do not interrupt 19 his answer. 20 Q. MR. BUTLER: I didn't ask you that, 21 Mr. Pinto. Please answer my question. 22 You don't know one way or the other whether 23 the vast quantities, to use your term -- although I 24 don't know what you mean by that, maybe I'll ask you 25 to clarify that -- but you don't know one way or the
11:39	11:41

<p style="text-align: right;">Page 126</p> <p>1 other whether the software that you think was 2 represented -- that was represented to you as being 3 downloaded, et cetera, is the entirety of the four 4 suites or some subset of that, right? 11:42 5 A. No, what's relevant in my analysis is that 6 I've taken a conservative estimate, I've excluded the 7 database, I've taken the then most current versions 8 to serve as a proxy. So I've ignored the costs 9 associated with all other prior versions, 11:42 10 enhancements, patches, I've ignored the costs 11 associated with derivative works, I've ignored costs 12 associated with capital outlays, I've ignored costs 13 associated with travel, I have ignored costs 14 associated with risk that one would endure, I've 11:42 15 ignored the value associated with gaining instant 16 access to the products to maintain a conservative 17 posture, and in doing so I've assessed the value 18 associated with the four then most current suites.</p> <p>11:42</p> <p>11:43</p>	<p style="text-align: right;">Page 128</p> <p>11:44 11:44 11:44 11:45 11:45</p>
<p style="text-align: right;">Page 127</p> <p>11:43 11:43 11:43 11:44 11:44</p>	<p style="text-align: right;">Page 129</p> <p>11:45 11:45 11:46 11:46 11:46</p>

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14:40	3 Q. Do you consider backfiring from SLOC to FP to 4 be an accurate process? 5 MS. HOUSE: Asked and answered. 6 THE WITNESS: I assume it to be a fair and 7 reasonable predictor of size. 8 Q. MR. BUTLER: But not accurate? 9 A. Define accurate.	14:42	
14:40	10 Q. Do you think it consistently gives correct 11 results? 12 A. So based on my, again, 25 years of experience 13 and since 2001, using the process I have described 14 here using backfire and using the tables provided by 15 SPR, having completed at least 100 estimating efforts 16 and have delivered on those efforts as well, which is 17 important here, because -- and I'll digress for a 18 moment. 19 I'm not talking about estimating for the sake 20 of estimating. I'm talking about estimating for the 21 sake of closing an engagement and then delivering on 22 it and being held accountable for productivity 23 against those estimates. That's what's built my 24 faith in the COCOMO '97 model, the SPR tables you see 25 here and the process that I've used.	14:42	9 Q. MR. BUTLER: What do you understand here the 10 words normal function point counting to mean? 11 A. I assume the connotation is hand-counting of 12 function points. 13 Q. You see here that it says backfiring function 14 points is often used as a surrogate despite the fact 15 that it is, on average, significantly less accurate 16 than what you've called hand function point counting. 17 Do you see that? And that's your interpretation of 18 that sentence? 19 A. It is. 20 Q. Okay. Why would you use a technique that is 21 on average significantly less accurate than the 22 method that Mr. Garmus used? 23 MS. HOUSE: First of all, assumes facts not 24 in evidence and asked and answered. 25 THE WITNESS: Yeah, I'm happy to answer it.
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14:41		14:43	1 I don't agree with the statement. So, again, based 2 on my 25 years of experience, the last nine or ten of 3 which I have applied backfiring to a multitude of 4 analogous scenarios I have found it to be accurate 5 within ten percent. 6 Q. MR. BUTLER: But you didn't do a -- what you 7 called hand-count or an IFPUG recognized count to 8 verify that, right? 9 A. No.
14:41		14:43	
14:41		14:43	
14:41		14:43	
14:42		14:43	

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<p>15:55 6 Q. Okay. What was the basis for your concluding 7 that the application domain between the two is the 8 same? 9 A. So these were analogous products providing 10 the same functionality on different platforms. 11 Q. And who told you that? 12 A. My experience in working with those products 13 told me that. 14 Q. Working with JDE Enterprise One? 15 A. Working with those products. 16 Q. That's what I meant to say. JDE 17 EnterpriseOne you've worked with? 18 A. Yes. 19 Q. And JDE World you've worked with? 15:55 20 A. Yes. 21 Q. And in your view, those are -- the 22 application domains between those two are the same? 23 A. Are similar in functionality. 24 Q. Similar, but not the same. 15:55 25 A. Correct.</p>	<p>15:57 15:57 15:57 15:58 15:58</p>
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<p>15:56 15:56 15:56 15:56</p>	<p>15:59 9 Q. Yeah. Okay. You made an assumption then 10 that the products had similar functionality based on 11 your experience with them, right? 12 A. Yes. 13 Q. And you base that assumption on the fact that 14 the JD Edwards World was the predecessor to JD 15 Edwards EnterpriseOne. 16 A. I won't say predecessor. It started its life 17 before EOne. 18 Q. I was using your word. 19 A. Very good. It started -- so let me clarify 20 my words then. It started out before EOne and then 21 ran in parallel with EOne. 22 Q. Okay. And another assumption you made is 23 that the product had similar functionality because 24 one was written in RPG and the other was written in C 25 and Java?</p>

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1 A. No, I made the assumption that they had 2 similar functionality because they are analogous 3 products geared for different platforms.	
16:00	16:02 5 Q. Right. And then after making the assumption 6 with respect to JD -- as between JD Edwards EOne and 7 JDE World, you made the assumption that you mentioned 8 before about similar functionality based on your 9 experience and for the reasons you've just said and
16:00	16:02 10 then you -- you made an assumption that the same SLOC 11 would apply to World as to EOne. 12 A. I did. 13 Q. Okay. And why is that? Even though they're 14 written in vastly different languages.
16:00	16:03 15 A. Well, they are written in different 16 languages. That's a true statement. 17 Q. Okay. 18 A. Without having seen the source code for JD 19 Edwards World, I know it to be written in RPG, but I
16:00	16:03 20 don't know what else is in there. Just as with these 21 other products, it's -- it's a multitude of software 22 languages. So I couldn't say with any degree of 23 security that it's just RPG. 24 Also, there are several varieties of RPG.
16:01	16:03 25 RPG 1, RFG 2, RBG 3, RPG 4, which have -- which have
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16:01	1 different ratings in the SPR table. So now if could, 2 were I to have taken that assumption and said, let's 3 assume for a second that it is a variety of RPG 1, 2, 4 3, or 4, and because I can't observe the code and I 16:03 5 can't state whether or not it's written in a 6 commercially viable manner, I would have taken the 7 nominal SS for FP numbers and I would have averaged 8 them and I would have come up with a factor of 61.725 9 as a multiplier.
16:01	16:04 10 Q. Okay. From what are you reading now? 11 A. I'm reading from the note. 12 Q. What did you do to calculate that figure? 13 A. I took -- if you go to the SPR tables. 14 Q. Yeah.
16:01	16:04 15 A. And you go to the back half page number 5 and 16 you see two-thirds down the page there are ratings 17 for RPG, RPG 1, 2, 3 and 4. 18 Q. All right.
16:02	16:04 19 A. If you look at the nominal ratings for those, 20 they range from 80.0 source lines per function point 21 to 63.0. Since I couldn't state which version of RPG 22 is being used, and it's probably several versions, I 23 would have taken the average of those, which is 24 61.725.
16:02	16:05 25 The number that I used, which was the C and

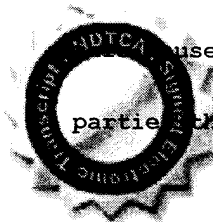
CERTIFICATE OF REPORTER

I, WENDY E. ARLEN, 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 [] 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 cause and that I am not related to any of the parties thereto.



DATED: May 25, 2010

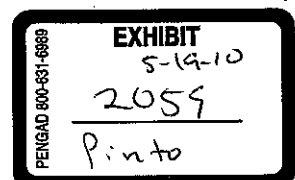
Wendy E Arlen

WENDY E. ARLEN CSR, No. 4355

$$PM_{NS} = A \times \text{Size}^B \times \prod_{i=1}^n EM_i$$

$$\text{where } E = B + 0.01 \times \sum_{j=1}^5 SF_j$$

Eq. 1



$$\text{TDEV}_{\text{NS}} = C \times (\text{PM}_{\text{NS}})^F$$

$$\begin{aligned} \text{where } F &= D + 0.2 \times 0.01 \times \sum_{j=1}^5 \text{SF}_j \\ &= D + 0.2 \times (E - B) \end{aligned}$$

Eq. 2

$$\text{TDEV} = [C \times (\text{PM}_{\text{NS}})^{(D+0.2 \times (E-B))}] \times \frac{\text{SCED}\%}{100}$$

where $C = 3.67$, $D = 0.28$, $B = 0.91$

Eq. 14