

EXHIBIT C

In The Matter Of:

Oracle

v.

SAP

DONALD REIFER - Vol. 1

June 18, 2010

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MERRILL CORPORATION

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11:38:51		11:42:13	
11:38:57		11:42:17	
11:38:59		11:42:24	
11:39:01		11:42:29	
11:39:11		11:42:44	5 Q. And with respect to the PeopleSoft
11:39:20		11:42:47	6 software, what did you do to analyze those?
11:39:23		11:42:49	7 A. We tried to do a count, and we just ran
11:39:26		11:42:53	8 out of time. We didn't have time. So we didn't
11:39:31		11:42:56	9 fully analyze them at all. We just superficially
11:39:35		11:43:01	10 looked at them.
11:39:35		11:43:15	
11:39:39		11:43:19	
11:39:41		11:43:22	
11:39:43		11:43:24	
11:39:50	15 Q. At the bottom of page three you say you	11:43:26	
11:39:53	16 "analyzed the actual Oracle suites of products which	11:43:34	
11:39:56	17 Mr. Pinto examined when estimating software	11:43:40	
11:40:00	18 development costs." Do you see that?	11:43:46	
11:40:01	19 A. Yes, I do.	11:43:53	
11:40:02	20 Q. And there are a number of JDEdwards and	11:43:58	
11:40:05	21 PeopleSoft software versions underneath that;	11:44:06	
11:40:08	22 correct?	11:44:12	
11:40:08	23 A. That is correct.	11:44:18	
11:40:09	24 Q. Did you examine each of those software	11:44:21	
11:40:12	25 products for your report?	11:44:23	
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11:40:14	1 A. I examined the EnterpriseOne product	11:44:26	
11:40:18	2 thoroughly and the other -- the PeopleSoft	11:44:31	
11:40:21	3 superficially, because we ran out of time.	11:44:35	
11:40:28		11:44:40	
11:40:31		11:44:43	
11:40:36		11:44:45	
11:40:42		11:44:48	
11:40:45		11:44:48	
11:40:49		11:44:50	
11:40:55		11:44:55	
11:40:59		11:44:58	
11:41:02		11:45:04	
11:41:06		11:45:07	
11:41:12		11:45:10	
11:41:16		11:45:12	
11:41:19		11:45:15	
11:41:29		11:45:20	
11:41:36		11:45:23	
11:41:38		11:45:27	
11:41:46		11:45:29	
11:41:51		11:45:31	
11:41:55		11:45:36	
11:41:58		11:45:39	
11:42:01		11:45:43	
11:42:05		11:45:44	

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1:55:36	11:58:51
1:55:40	11:58:55
1:55:42	11:58:58
1:55:45	11:58:59
1:55:48	11:59:00
1:55:50	11:59:04
1:55:53	11:59:06
1:56:12	11:59:11
1:56:13	11:59:14
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1:56:48	11:59:33
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1:57:06	12:00:01
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1:57:19	12:00:12
1:57:20	12:00:15
1:57:23	12:00:17
1:57:26	12:00:34
1:57:27	12:00:38
1:57:32	12:00:40
1:57:36	12:00:52
1:57:37	12:00:56
1:57:39	12:01:00
1:57:46	12:01:09
1:57:48	12:01:10
1:57:52	12:01:14
1:57:57	12:01:15
1:58:02	12:01:21
1:58:07	12:01:22
1:58:20	12:01:24
1:58:22	12:01:26
1:58:25	12:01:31
1:58:26	12:01:33
1:58:29	12:01:36
	15 Q. How many times have you run it with COCOMO
	16 II '97?
	17 A. Hundreds.
	18 Q. And COCOMO II.2000?
	19 A. Oh, '97, none. Sorry. My apologies. Let
	20 me correct that answer.
	21 1997 -- I have never developed an estimate
	22 for a client with 1997. Hundreds of times with
	23 COCOMO 2000.

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12:07:30	12:09:56
12:07:32	12:09:58
12:07:33	12:09:59
12:07:34	12:10:02
12:07:34	12:10:05
12:07:35	12:10:07
12:07:43	12:10:11
12:07:47	12:10:14
12:07:50	12:10:18
12:07:54	12:10:20
12:07:57	12:10:24
12:08:02	12:10:28
12:08:03	12:10:31
12:08:11	12:10:36
12:08:16	12:10:38
12:08:18	12:10:40
12:08:24	12:10:46
12:08:27	12:10:52
12:08:30	12:10:54
12:08:32	12:10:56
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12:08:35	12:11:00
12:08:39	12:11:01
12:08:42	12:11:03
12:08:44	12:11:05
12:08:47	12:11:10
12:08:53	12:11:14
12:08:57	12:11:18
12:09:00	12:11:19
12:09:05	12:11:19
12:09:09	12:11:21
12:09:10	12:11:22
12:09:13	12:11:23
12:09:16	12:11:26
12:09:19	12:11:28
12:09:22	12:11:31
12:09:25	12:11:34
12:09:26	12:11:37
12:09:28	12:11:38
12:09:30	12:11:43
12:09:31	12:11:45
12:09:34	12:11:47
12:09:38	12:11:48
12:09:41	12:11:50
12:09:41	12:11:54
12:09:44	12:11:58
	<p>3 You developed an estimate using</p> <p>4 COCOMO II.2000 for certain software for the</p> <p>5 government, and then you managed the project through</p> <p>6 to deliver that software and -- against your</p> <p>7 estimate.</p> <p>8 A. That is correct.</p> <p>9 Q. Okay. And tell me what you did to do</p> <p>10 that.</p> <p>11 A. Okay.</p> <p>12 MR. BUTLER: Before you do that, I don't</p> <p>13 know whether you have any confidentiality</p> <p>14 obligations, but I caution you to think about that</p> <p>15 before disclosing information. I don't know what</p> <p>16 agreements might bind you or not, but I urge you to</p> <p>17 keep that in mind.</p> <p>18 THE WITNESS: Thank you, sir.</p> <p>19 Let's see what's a matter of public</p> <p>20 record.</p> <p>21 MR. ALINDER: Q. It's fine. I don't need</p> <p>22 to know the details of it.</p> <p>23 Is that the only time that you have used</p> <p>24 COCOMO II.2000 to develop an estimate and then</p> <p>25 managed the project to completion?</p>

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12:12:01	1 A. That is correct. Most of the other	12:14:50
12:12:02	2 estimates were used as estimating exercises to	12:14:52
12:12:06	3 develop estimates for clients, estimates --	12:14:54
12:12:10	4 independent estimates which were used to look at the	12:14:58
12:12:14	5 reasonableness of the client's offer, or the	12:15:06
12:12:17	6 reasonableness of the operational organization, in	12:15:07
12:12:21	7 some cases their ability to deliver estimates, to	12:15:13
12:12:27	8 look at competitiveness.	12:15:16
12:12:29	9 But in terms of "in charge of the delivery	12:15:18
12:12:33	10 of the product," these are small R&D projects that	12:15:20
12:12:37	11 are less than 10 people that I have managed the	12:15:25
12:12:41	12 delivery of.	12:15:26
12:12:41		12:15:28
12:12:46		12:15:31
12:12:48		12:15:34
12:12:49		12:15:39
12:12:55		12:15:41
12:12:59		12:15:42
12:13:07		12:15:44
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12:13:30		12:16:12
12:13:34		12:16:14
12:13:36		12:16:16
12:13:39		12:16:18
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12:13:47		12:16:25
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12:13:51		12:16:30
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12:14:03		12:16:36
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14:57:19		15:00:31
14:57:24		15:00:34
14:57:28		15:00:36
14:57:31		15:00:39
14:57:34		15:00:42
14:57:35		15:00:45
14:57:36		15:00:47
14:57:36	13 Q. You believe that there was code provided	15:00:50
14:57:38	14 in an appendix with the Pinto report?	15:00:55
14:57:41	15 A. Yes, we did, at first.	15:00:59
14:57:44	16 And then -- at first we did, and we	15:01:05
14:57:49	17 searched for it. And what we found was access	15:01:09
14:57:52	18 database containing spreadsheets pointing to text	15:01:12
14:57:59	19 and five routines. And at that time we thought	15:01:14
14:58:03	20 those five routines were Oracle routines.	15:01:23
14:58:09	21 We were under the impression that we would	15:01:26
14:58:12	22 be provided all the code, and all we would have to	15:01:29
14:58:15	23 do was run our counters to verify his counts.	15:01:31
14:58:19	24 Common practice in our -- in doing an independent --	15:01:35
14:58:25	25 my job was not to come up with an estimate. My job	15:01:40
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14:58:29	1 was to verify Mr. Pinto's estimates.	15:01:43
14:58:32	2 When I do that as common practice, it	15:01:49
14:58:35	3 typically takes a week to two weeks to do that job,	15:01:52
14:58:39	4 look at the estimates and look at its realism,	15:01:56
14:58:43	5 accuracy, currency.	15:02:01
14:58:48	6 In this case we had barriers in our way	15:02:04
14:58:56	7 that made it almost impossible to get it done within	15:02:08
14:59:00	8 six weeks. You know, we were told we had all the	15:02:11
14:59:04	9 source code. We were not supplied source code in	15:02:13
14:59:09	10 ReadMe files. We were not told where the source	15:02:15
14:59:12	11 code was. We were not given intermediate results	15:02:21
14:59:15	12 from India, where the source code was extracted and	15:02:25
14:59:19	13 manipulated, as we understand from Mr. Pinto's	15:02:27
14:59:22	14 deposition testimony, and then destroyed. We didn't	15:02:28
14:59:25	15 know that. We thought it would be a simple job.	15:02:30
14:59:32	16 There was very little code in that Pinto CD. But	15:02:38
14:59:36	17 what was there was five routines, so we used those	15:02:39
14:59:42	18 as we attempted to unravel the product CDs.	15:02:42
14:59:46		15:02:44
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CERTIFICATE OF REPORTER

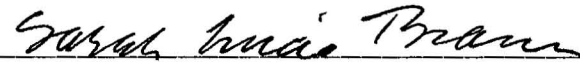
I, SARAH LUCIA BRANN, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken 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.

DATED: June 25, 2010



SARAH LUCIA BRANN, CSR No. 3887