

EXHIBIT I

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10:14	1	through 253301, and the PowerPoint is titled A Roadmap for	10:17	1	A. That is correct.
10:14	2	PSFT Customers to SAP, Positioning Overview,	10:17	2	Q. And at this point were you aware that SAP was in
10:14	3	December 23rd, 2004; Thomas Ziemer, Service Solution	10:17	3	any sort of negotiations to acquire TomorrowNow?
10:14	4	Management SAP AG. Have you seen this e-mail and its	10:17	4	A. Gerd Oswald informed me about that.
10:14	5	attachment?	10:17	5	Q. Did he inform you about that in connection with
10:14	6	A. Yes.	10:17	6	asking you to write this plan?
10:14	7	Q. Did you write the e-mail?	10:17	7	A. He told me that he will keep me up to date about
10:14	8	A. Yes.	10:17	8	the ongoing negotiations.
10:14	9	Q. And did you create the attached PowerPoint?	10:17	9	Q. Did this attack plan assume that PeopleSoft --
10:14	10	A. I put that together.	10:17	10	that SAP would acquire TomorrowNow?
10:14	11	Q. And the persons to whom you direct -- directed	10:18	11	A. Yes.
10:15	12	this e-mail and attachment were the most senior officials	10:18		
10:15	13	at SAP AG. Is that correct?	10:18		
10:15	14	A. That's correct.	10:18		
10:15	15	Q. They were all board members. Is that correct?	10:18		
10:15	16	A. Marty Homlish was probably not, but the others	10:18		
10:15	17	were.	10:18		
10:15	18	Q. And you indicate in your cover e-mail that this	10:18		
10:15	19	is an updated version. Do you see that?	10:18		
10:15	20	A. Correct.	10:18		
10:15	21	Q. When was the first version of the PeopleSoft	10:18		
10:15	22	attack plan written?	10:18		
10:15	23	A. I can't recall. Probably a couple of days	10:18		
10:15	24	earlier.	10:18		
10:15	25	Q. The original was written in the latter part of	10:18		
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10:15	1	December 2004. Is that correct?	10:18		
10:15	2	A. The day before Christmas, yeah.	10:19		
10:15	3	Q. You remember that, I'm sure. And that was	10:19		
10:15	4	something that you were in charge of from the beginning?	10:19		
10:15	5	A. I was asked by Gerd Oswald to put this together	10:19		
10:16	6	with Peter Graf and Peter Graf was appointed by Shai	10:19		
10:16	7	Agassi to create this roadmap.	10:19		
10:16	8	Q. And who is Peter Graf?	10:19		
10:16	9	A. Peter Graf was, these days, head of the product	10:19		
10:16	10	marketing team reporting to Shai Agassi.	10:19		
10:16	11	Q. Is Mr. Graf still with the company?	10:19		
10:16	12	A. He is.	10:19		
10:16	13	Q. But Mr. Agassi is not?	10:19		
10:16	14	A. He's not.	10:19		
10:16	15	Q. And when were you instructed to put this	10:19		
10:16	16	together?	10:19		
10:16	17	A. Middle of December.	10:19		
10:16	18	Q. And who specifically instructed you?	10:20		
10:16	19	A. Gerd Oswald.	10:20		
10:16	20	Q. And what did he say was the purpose of putting	10:20		
10:16	21	this together?	10:20		
10:17	22	A. That SAP is working on an action plan to provide	10:20		
10:17	23	customers with a choice to move to SAP in course of time.	10:20		
10:17	24	Q. And was this connected to the fact that the	10:20		
10:17	25	Oracle acquisition of PeopleSoft seemed likely to occur?	10:20		

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10:27		10:29	14 Q. So in 2005, using the assumptions, the
10:27		10:29	15 projection was 4,000 -- I'm sorry -- \$4 million. Is that
10:27		10:29	16 correct?
10:27		10:29	17 A. Which --
10:27		10:29	18 Q. 2005.
10:27		10:29	19 A. 2005.
10:27		10:29	20 Q. Oh. I'm sorry. It's 94. I thought that was a
10:27		10:29	21 dollar sign. \$94 million in 2005. Correct?
10:27		10:30	22 A. Correct.
10:27		10:30	23 Q. And then the assumption in 2006 was that it
10:27		10:30	24 would grow and that the revenue for 2006 from this
10:27		10:30	25 initiative would be 245 million -- is that 650,000 --
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10:27		10:30	1 A. Yeah.
10:28		10:30	2 Q. -- dollars, and then moving to 2007 it's going
10:28		10:30	3 to continue to grow -- correctly -- is that correct?
10:28		10:30	4 A. Correct.
10:28		10:30	5 Q. And that the revenue assumption for 2007 from
10:28		10:30	6 this initiative was \$558,043,007. Correct?
10:28		10:30	7 A. That's correct.
10:28		10:30	8 Q. For a sum for the years 2005, 2006 and 2007 of
10:28		10:30	9 \$897,693,007. Correct?
10:28		10:30	10 A. Correct.
10:28		10:30	11 Q. And when you presented this to the various board
10:28		10:31	12 members at SAP, you were making what you thought were
10:28		10:31	13 reasonable assumptions?
10:28		10:31	14 A. I did not present it. I just sent it over by
10:28		10:31	15 e-mail.
10:28		10:31	16 Q. When you sent this e-mail to the SAP board
10:28		10:31	17 members you attempted to make reasonable assumptions.
10:28		10:31	18 Correct?
10:28		10:31	19 A. Correct.
10:28		10:31	
10:28		10:31	
10:28		10:31	
10:28		10:31	
10:28		10:31	
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1 STATE OF TEXAS
2 COUNTY OF HARRIS

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

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

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

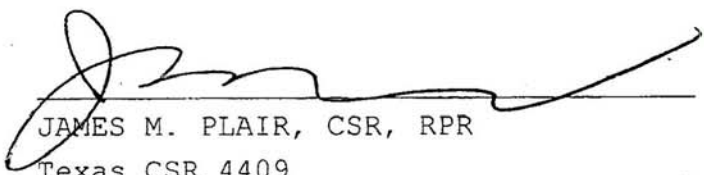
17 Ms. Holly House -(08:10:54)

18 Attorney for PLAINTIFFS

19 Mr. Scott W. Cowan -(00:00:00)

20 Attorney for DEFENDANTS

21 GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the
22 7th day of October, A.D., 2008.

23 
24 JAMES M. PLAIR, CSR, RPR

25 Texas CSR 4409
Expiration: 12/31/2009
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