

EXHIBIT 17

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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 ORACLE USA, INC., a Colorado Corporation, *et*
20 *al.*,

21 Plaintiffs,

22 v.

23 SAP AG, a German corporation, *et al.*,

24 Defendants.

CASE NO. 07-CV-01658 PJH (EDL)

**DECLARATION OF GARY GATES,
Director, Business Systems of Amsted
Rail Company, INC, formerly known as
BRESCO, INC.**

