

# EXHIBIT F

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**From:** Alinder, Zachary J.

**Sent:** Wednesday, September 01, 2010 3:26 PM

**To:** 'Jason McDonell'

**Cc:** Howard, Geoff; Russell, Chad; 'dboies@bsflp.com'; Pickett, Donn; 'Elaine Wallace'; House, Holly; 'Jane L Froyd'; 'Joshua L Fuchs'; 'Laurens Wilkes'; 'Laurie Paige Burns'; 'sholtzman@bsflp.com'; 'Greg Lanier'; 'Scott Cowan'; Chin, Lisa

**Subject:** RE: Request for waiver of 5 day notice period

Jason,

Provided that you have checked and can confirm that no conflict exists between Oracle and these experts, Oracle agrees that these two new experts may have access to confidential information without having to wait out the five-day notice period, as requested. Oracle does not agree that inserting new experts is appropriate at this point in the case. Oracle therefore reserves all objections to these experts, including but not limited to objections to any analyses they may perform and to any other expert relying on them or their opinions/analyses.

Best regards,

Zac

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**From:** Alinder, Zachary J.

**Sent:** Wednesday, September 01, 2010 10:19 AM

**To:** 'Jason McDonell'

**Cc:** Howard, Geoff; Russell, Chad; 'dboies@bsflp.com'; Pickett, Donn; Elaine Wallace; House, Holly; Jane L Froyd; Joshua L Fuchs; Laurens Wilkes; Laurie Paige Burns; 'sholtzman@bsflp.com'; Greg Lanier; Scott Cowan; Chin, Lisa

**Subject:** RE: Request for waiver of 5 day notice period

Jason,

We are checking with our client and will get a response to you as soon as we can. We asked for further information about your request, because it could help us determine if there is a limited subset of confidential material that we could get access to for these new experts on a quicker turnaround. Finally, while there was more than one 8/19/10 Declaration, which prompted my question to you, we will assume based on your responses that you mean the Levy Declaration filed in support of the Clarke Daubert motion. Please let us know if that is not correct.

Best regards,

Zac

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**From:** Jason McDonell [mailto:jmcdonell@JonesDay.com]

**Sent:** Tuesday, August 31, 2010 9:36 PM

**To:** Alinder, Zachary J.

**Cc:** Howard, Geoff; Russell, Chad; 'dboies@bsflp.com'; Pickett, Donn; Elaine Wallace; House, Holly; Jane L Froyd; Joshua L Fuchs; Laurens Wilkes; Laurie Paige Burns; 'sholtzman@bsflp.com'; Greg Lanier; Scott Cowan

**Subject:** Re: Request for waiver of 5 day notice period

Zac,

My letter identified the 8/19/10 declaration. The other information you request implicates work product and in any event should not be determinative as to whether you grant our request.

I would appreciate anything you can do to expedite a response to our request. Thanks.

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**From:** "Alinder, Zachary J." [zachary.alinder@bingham.com]  
**Sent:** 08/31/2010 05:59 PM MST  
**To:** Jason McDonell  
**Cc:** "Howard, Geoff" <geoff.howard@bingham.com>; "Russell, Chad" <chad.russell@bingham.com>; "dboies@bsflp.com" <dboies@bsflp.com>; "Pickett, Donn" <donn.pickett@bingham.com>; Elaine Wallace; "House, Holly" <holly.house@bingham.com>; Jane Froyd; Joshua Fuchs; Laurens Wilkes; Laurie Paige Burns; "sholtzman@bsflp.com" <sholtzman@bsflp.com>; Greg Lanier; Scott Cowan  
**Subject:** RE: Request for waiver of 5 day notice period

Jason,

We'll raise this with our client and try to get a response as soon as we can, though we cannot promise what the turnaround time will be, and therefore cannot waive the five-day notice provision at this time. It would help us if you could provide some further explanation as to the specific Levy Declaration and the purpose that you intend these new statistics experts to serve, including if the intended purpose goes beyond just the Declaration.

Best regards,

Zac

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**From:** Jason McDonell [mailto:jmcdonell@JonesDay.com]  
**Sent:** Tuesday, August 31, 2010 4:56 PM  
**To:** Alinder, Zachary J.  
**Cc:** Howard, Geoff; Russell, Chad; 'dboies@bsflp.com'; Pickett, Donn; Elaine Wallace; House, Holly; Jane L Froyd; Joshua L Fuchs; Laurens Wilkes; Laurie Paige Burns; 'sholtzman@bsflp.com'; Greg Lanier; Scott Cowan  
**Subject:** Request for waiver of 5 day notice period

Zac,

Please see attached and, in particular, the request that Plaintiffs waive the 5 day notice period. Thanks.

Jason McDonell, Esq.

Jones Day  
555 California Street, 26th Floor  
San Francisco, CA 94104-1500  
SF Office Main Tel.: (415) 626-3939  
Direct Dial: (415) 875-5820  
Fax: (415) 875-5700  
Email: jmcdonell@jonesday.com

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