

# EXHIBIT 4

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

19 ORACLE CORPORATION, a Delaware  
20 corporation, ORACLE USA, INC., a Colorado  
corporation, and ORACLE INTERNATIONAL  
21 CORPORATION, a California corporation,

22 Plaintiffs,  
23 v.

24 SAP AG, a German corporation, SAP  
AMERICA, INC., a Delaware corporation,  
25 TOMORROWNOW, INC., a Texas corporation,  
and DOES 1-50, inclusive,

26 Defendants.

Case No. 07-CV-01658 (MJJ)

**AMENDED NOTICE OF  
DEPOSITION OF CHRISTOPHER  
FAYE**

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that, pursuant to Rule 30 of the Federal Rules of Civil  
3 Procedure, plaintiff Oracle Corporation (“Oracle”), through its counsel, shall conduct the  
4 deposition of Christopher Faye on October 22, 2008 commencing at 9:00 a.m. at the law offices  
5 of Bingham McCutchen, Three Embarcadero Center, San Francisco, CA 94111 or such other  
6 time and place as may be agreed upon. The deposition will continue day to day, Sundays and  
7 holidays excepted, until completed.

8 The examination shall be conducted before an officer or other person authorized to  
9 administer oaths pursuant to Rule 28 of the Federal Rules of Civil Procedure. The testimony at  
10 the deposition will be recorded stenographically by a qualified certified shorthand reporter who  
11 is authorized to administer the oath, through instant visual display means (Live Note), and by  
12 video. Parties wishing to see the real time display must supply their own computer. Oracle  
13 reserves the right to use the written transcript or video as evidence in the trial of this matter.

14 DATED: August 25, 2008

15  
16 By:   
17 Martha Jeong  
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1 **PROOF OF SERVICE**

2 I am over 18 years of age, not a party to this action and employed in the  
3 County of San Francisco, California at Three Embarcadero Center, San Francisco, California  
4 94111-4067. I am readily familiar with the practice of this office for collection and processing  
5 of correspondence by U.S. Mail and Electronic Mail, and they are deposited and/or sent that  
6 same day in the ordinary course of business.

7 Today I served the following documents:

8 **AMENDED NOTICE OF DEPOSITION OF CHRISTOPHER**  
9 **FAYE**  
10 **PURSUANT TO FED. R. CIV. P. 30**

11  (BY ELECTRONIC MAIL) by transmitting via electronic mail document(s) in  
12 portable document format (PDF) listed below to the email addresses set forth  
below on this date.

13  (BY MAIL) by causing a true and correct copy of the above to be placed in the  
14 United States Mail at San Francisco, California in sealed envelope(s) with postage  
15 prepaid, addressed as set forth below. I am readily familiar with this law firm's  
16 practice for collection and processing of correspondence for mailing with the  
United States Postal Service. Correspondence is deposited with the United States  
Postal Service the same day it is left for collection and processing in the ordinary  
course of business.

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24 I declare that I am employed in the office of a member of the bar of this court at  
25 whose direction the service was made and that this declaration was executed on August 25, 2008,  
26 at San Francisco, California.

27 

28 Rosaleen Doran