

EXHIBIT B

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18 Attorneys for Defendants
SAP AG, SAP AMERICA, INC., and
19 TOMORROWNOW, INC.

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 ORACLE USA, INC., et al.,
24 Plaintiffs,
25 v.
26 SAP AG, et al.
27 Defendants.
28

Case No. 07-CV-1658 PJH

**DEFENDANT TOMORROWNOW, INC.'S
SECOND AMENDED AND SUPPLEMENTAL
RESPONSES TO PLAINTIFF ORACLE
CORP.'S THIRD SET OF
INTERROGATORIES AND SAP AMERICA,
INC.'S, AND SAP AG'S SECOND AMENDED
AND SUPPLEMENTAL RESPONSES TO
PLAINTIFF ORACLE CORP.'S SECOND SET
OF INTERROGATORIES**

1 **INTERROGATORY NO. 5:**

2 Describe any effort any Defendant has made to determine whether SAP TN had authority
3 or license to possess, Use, or transfer any Local Environment or Software and Support Material
4 on its computer system as of March 22, 2007.

5 **RESPONSE TO INTERROGATORY NO. 5:**

6 ***TomorrowNow, SAP America, and SAP AG Answer***

7 In addition to Defendants' General Objections and Responses, Defendants object that this
8 Interrogatory calls for information protected by the attorney-client or work product privileges
9 including Defendants' communications with their inside and outside counsel and any work
10 product created as a result of those communications. Defendants will not reveal such privileged
11 information. Further Defendants are not relying on such privileged information as part of their
12 defenses to this litigation. Subject to and without waiving their Objections, Defendants respond
13 as follows:

14 TomorrowNow included provisions in its contracts with its customers whereby
15 TomorrowNow's customers represented to TomorrowNow that the services contemplated under
16 those contracts that were to be provided by TomorrowNow did not violate any of the customers'
17 contractual obligations to the entities from whom the customers licensed their software.

18 **INTERROGATORY NO. 6:**

19 Identify all SAP AG or SAP America sales personnel involved in efforts to sell or license
20 SAP applications to any SAP TN Customer, and Identify the Customer.

21 **RESPONSE TO INTERROGATORY NO. 6:**

22 **ALL ANSWERS TO THIS REQUEST ARE DESIGNATED AS CONFIDENTIAL**
23 **INFORMATION**

24 ***TomorrowNow, SAP America, and SAP AG Answer***

25 In addition to Defendants' General Objections and Responses, Defendants object that the
26 request is overly broad and unduly burdensome to the extent the Interrogatory requires all sales
27 personnel involved. The parties have already had numerous meet and confers over the subject
28 matter of this Interrogatory and have also received the Court's guidance. This request is broader

1 and substantially more burdensome than what the parties have discussed. Subject to and without
2 waiving their Objections, Defendants respond as follows:

3 In accordance with the parties meet and confers and the Courts guidance, Defendants will
4 provide a list of the primary SAP Account Executives assigned to the 61 customers contained on
5 the list provided to Plaintiffs on July 18, 2008. See SAP-OR 00205614 SAP (Disc) 40. To the
6 extent the list changes, Defendants will supplement this response.

7 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 6:**

8 **ALL ANSWERS TO THIS REQUEST ARE DESIGNATED AS CONFIDENTIAL**
9 **INFORMATION**

10 ***TomorrowNow, SAP America, and SAP AG Supplemental Answer***

11 Subject to and without waiving their General and Specific Objections, Defendants
12 supplement their response as follows:

13 In accordance with the parties' meet and confers and the Court's guidance, Defendants
14 located the following information in SAP's CRM database regarding customers listed in the
15 Updated List of 81 provided to Plaintiffs on May 22, 2009 as SAP-OR00698800.

Customer Name	Relationship Text	First Name	Last Name
Abitibi-Consolidated Company of Canada	Account Owner	Michel	Couture
Abitibi-Consolidated Company of Canada	Account Executive	Michel	Couture
ACH Food Co.	Account Executive	Joe	Rainwater
ACH Food Co.	Account Executive	David	Pearson
Ajinomoto Co., Inc.	Account Owner	Takaaki	Kobayashi
Ajinomoto Co., Inc.	Account Executive	Takaaki	Kobayashi
Al Nisr Publishing Company	Account Owner	Gurkan	Urgen
Al Nisr Publishing Company	Account Executive	Munish	Sudan
Alberto-Culver U S A Inc	Account Owner	Bryan	Bradley
Alberto-Culver U S A Inc	Account Executive	Bryan	Bradley
Alberto-Culver U S A Inc	Account Owner	Michele	Marban

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American Family Life Assurance Co.	Account Owner	Brian	Kosiorowski
American Family Life Assurance Co.	Account Executive	Brian	Kosiorowski
American Family Life Assurance Co.	Account Owner	Alfred	van Zijl
Amgen	Account Executive	Jose	Otero
Amgen	Account Owner	Bill	Irwin
Amgen	Account Executive	Andres	Gonzalez
Amgen	Account Owner	Kevin	Knieriem
Amgen	Account Executive	Kevin	Knieriem
Amgen	Account Executive	Mivian	Irizarry
Apria Healthcare Group Inc.	Account Owner	Lisa	Zawistoski
Apria Healthcare Group Inc.	Account Executive	Lisa	Zawistoski
Apria Healthcare Group Inc.	Account Owner	Kevin	Knieriem
Apria Healthcare Group Inc.	Account Owner	David	Corbett
Apria Healthcare Group Inc.	Account Executive	Donald	Dewhurst
Ariba, Inc.	Account Owner	Jacqueline	Pynadath
Ariba, Inc.	Account Owner	Nancy	Johnson
Ariba, Inc.	Account Owner	Steven	Medeiros
Ariba, Inc.	Account Owner	Michael	Paladin
Ariba, Inc.	Account Executive	Michael	Paladin
Ariba, Inc.	Account Executive	Elyne	Cuevas
BASF SE	Account Executive	Ulrich	Fritz
BASF SE	Account Executive	Claudia	Sohn
BASF SE	Account Owner	Hans-Joerg	Flad
BASF SE	Account Executive	Hans-Joerg	Flad
BASF SE	Account Executive	Ulla-Brit	Baser
Baxter International, Inc.	Account Owner	Mark	Wittenbrink
Baxter International, Inc.	Account Owner	Marlin	Bowers

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Baxter International, Inc.	Account Executive	Marlin	Bowers
Baxter International, Inc.	Account Owner	Edward	Kelly
Baxter International, Inc.	Account Owner	Patrick	McCarthy
Baxter International, Inc.	Account Owner	Michael	Milbrath
Big Lots Stores, Inc.	Account Owner	Julie	Papagiannis
Big Lots Stores, Inc.	Account Owner	Mary	Kelly
Big Lots Stores, Inc.	Account Owner	Frank	Tedesco
Big Lots Stores, Inc.	Account Executive	Frank	Tedesco
Big Lots Stores, Inc.	Account Owner	Sue	Fitch
Big Lots Stores, Inc.	Account Owner	Daryl	Breitenfeldt
Big Lots Stores, Inc.	Account Executive	Ed	Comley
Brainlab AG	Account Owner	Susanne	Bujack
Brainlab AG	Account Executive	Susanne	Bujack
CA, Inc.	Account Owner	Michael	McCloskey
CA, Inc.	Account Executive	Michael	McCloskey
CA, Inc.	Account Executive	Eric	Bergstrom
Central Garden & Pet Company	Account Owner	Hamilton	Chock
Central Garden & Pet Company	Account Owner	Eddie	Lee
Central Garden & Pet Company	Account Owner	Robert	Stark
Central Garden & Pet Company	Account Owner	Luke	Welch
Central Garden & Pet Company	Account Executive	Luke	Welch
Central Garden & Pet Company	Account Executive	Dave	Leong
Ciber, Inc.	Account Owner	Troy	Eiber
Ciber, Inc.	Account Owner	Erin	Mynatt
Ciber, Inc.	Account Owner	Dean	Riley
Ciber, Inc.	Account Executive	Dean	Riley
Ciber, Inc.	Account Executive	Ronald	Buckley

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Ciber, Inc.	Account Executive	Cherie	Kai
Compagnie Financiere Alcatel Lucent	Account Executive	Marek	Buettel
Compagnie Financiere Alcatel Lucent	Account Executive	Marc	Genevois
ConAgra Foods, Inc.	Account Owner	Keith	Peterson
ConAgra Foods, Inc.	Account Executive	Keith	Peterson
ConAgra Foods, Inc.	Account Owner	Terry	Rabe
ConAgra Foods, Inc.	Account Executive	Terry	Rabe
ConAgra Foods, Inc.	Account Owner	Curtis	Schlott
ConAgra Foods, Inc.	Account Owner	Robert	White
ConAgra Foods, Inc.	Account Owner	Durai	Appadurai
ConAgra Foods, Inc.	Account Owner	Christopher	Lyon
ConAgra Foods, Inc.	Account Executive	Lance	Berg
Conagra Foods, Inc.	Account Executive	Terry	Rabe
Conagra Foods, Inc.	Account Executive	Robert	White
Conagra Foods, Inc.	Account Executive	Durai	Appadurai
Coors Brewing Company	Account Executive	Erin	Mynatt
Coty Inc	Account Owner	James	Sherlock
Coty Inc	Account Executive	James	Sherlock
Coty Inc	Account Executive	Todd	Wagner
Coty Inc.	Account Owner	Deborah	McArthur
Coty Inc.	Account Owner	James	Sherlock
Coty Inc.	Account Executive	James	Sherlock
Coty Inc.	Account Executive	Todd	Wagner
Coty Inc.	Account Executive	Mike	Peck
Dürr AG	Account Executive	Sabine	Dier
Dürr AG	Account Owner	Benjamin	Schmitt
Dürr AG	Account Executive	Benjamin	Schmitt

1	Dürr Systems GmbH	Account Executive	Sabine	Dier
2	Dürr Systems GmbH	Account Executive	Benjamin	Schmitt
3	Ecolab Inc.	Account Owner	Christian	Sirek
4	Ecolab Inc.	Account Owner	Michael	Milbrath
5	Ecolab Inc.	Account Owner	Brett	Reem
6	Ecolab Inc.	Account Executive	Brett	Reem
7	Electrolux IT Solutions AB	Account Executive	Kjell	Staalnacke
8	Electrolux IT Solutions AB	Account Executive	Wilko	Sattler
9	Electrolux IT Solutions AB	Account Executive	James	Eddison
10	Electrolux IT Solutions AB	Account Executive	Daniel	Prytz
11	Foreign Candy Company	Account Owner	John	Burke
12	Foreign Candy Company	Account Owner	Jed	Brekke
13	Foreign Candy Company	Account Owner	Phillip	Pillsbury
14	Freeport-McMoRan Copper & Gold Inc.	Account Owner	Bern	Baumgartner
15	Freeport-McMoRan Copper & Gold Inc.	Account Owner	Jennifer	Campbell
16	Freeport-McMoRan Copper & Gold Inc.	Account Executive	Jennifer	Campbell
17	Freeport-McMoRan Copper & Gold Inc.	Account Owner	Beth	Buchanan
18	Freeport-McMoRan Copper & Gold Inc.	Account Executive	Ken	Spencer
19	GlobalSantaFe Corporation	Account Owner	Mark	LeBlanc
20	GlobalSantaFe Corporation	Account Owner	James	Volmert
21	GlobalSantaFe Corporation	Account Owner	Justin	Litz
22	GlobalSantaFe Corporation	Account Executive	Larry	Rice
23	Gruppo Lactalis Italia S.p.A.	Account Executive	Alessandro	Bacci
24	Harley-Davidson, Inc.	Account Owner	Brian	Smith
25	Harley-Davidson, Inc.	Account Executive	Brian	Smith
26	Harley-Davidson, Inc.	Account Owner	Brian	Dudley
27	Haworth, Inc.	Account Owner	Mary	Kobliska
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Haworth, Inc.	Account Executive	Mary	Kobliska
Haworth, Inc.	Account Owner	Rocky	Subramanian
Haworth, Inc.	Account Owner	Doug	Young
High Industries, Inc.	Account Owner	Kevin	Clark
High Industries, Inc.	Account Executive	Kevin	Clark
High Industries, Inc.	Account Owner	Chad	Randlett
High Industries, Inc.	Account Executive	George	Gallivan
High Industries, Inc.	Account Owner	Brian	Dudley
High Industries, Inc.	Account Executive	Steven	Eder
Hitachi Global Storage Technologies,	Account Executive	Joseph	Voss
Hitachi Global Storage Technologies,	Account Executive	Steve	Bosset
Holland Casino	Account Owner	Remco	Westerlaken
Holland Casino	Account Executive	Remco	Westerlaken
Holland Casino	Account Executive	Josette	Eeuwen
Honeywell International Inc.	Account Executive	John	Zgurzynski
Honeywell International Inc.	Account Owner	Marc	McCluskey
Honeywell International Inc.	Account Executive	Steve	Mazzuca
Hydro One Networks Inc.	Account Owner	Randy	Wheeler
Hydro One Networks Inc.	Account Executive	Randy	Wheeler
IHS Inc.	Account Owner	Jeffery	Novak
IHS Inc.	Account Owner	Troy	Eiber
IHS Inc.	Account Owner	Erin	Mynatt
IHS Inc.	Account Owner	Jonathan	Nye
IHS Inc.	Account Owner	Dean	Riley
IHS Inc.	Account Executive	Allan	Steiner
IHS Inc.	Account Owner	Raul	Villarreal
IHS Inc.	Account Executive	Raul	Villarreal

1	Informatica Corporation	Account Owner	Hamilton	Chock
2	Informatica Corporation	Account Owner	Melissa	Upp
3	Informatica Corporation	Account Owner	Nancy	Johnson
4	Informatica Corporation	Account Owner	John	DeCarlo
5	Informatica Corporation	Account Executive	John	DeCarlo
6	Informatica Corporation	Account Owner	Clarence	Williams
7	Informatica Corporation	Account Executive	Ian	Cooper
8	Informatica Corporation	Account Executive	Elynn	Cuevas
9	Interpublic Group of Companies Inc.	Account Executive	James	Sherlock
10	Interpublic Group of Companies Inc.	Account Executive	Christopher	MacPherson
11	Lexmark International Group	Account Owner	Tim	Freeze
12	Lexmark International Group	Account Owner	John	Lindgren
13	Lexmark International Group	Account Owner	H. Frank	Yarborough
14	Lexmark International Group	Account Owner	Rocky	Subramanian
15	Lexmark International Group	Account Executive	Rocky	Subramanian
16	Lexmark International Group	Account Owner	Joe	Rainwater
17	Lexmark International Group	Account Executive	Joe	Rainwater
18	Liberata plc	Account Owner	Adam	Blackwell
19	Liberata plc	Account Executive	Adam	Blackwell
20	Liberata plc	Account Executive	Alan	Hickey
21	Merck & Company, Inc.	Account Executive	Marshall	Haegley
22	Merck & Company, Inc.	Account Owner	Stephen	Shander
23	Merck & Company, Inc.	Account Owner	Scott	Schwartzman
24	Merck & Company, Inc.	Account Executive	Nicholas	Trombetta
25	MKS Inc.	Account Executive	Robert	Watson
26	National Foods Limited	Account Executive	Stuart	Bell
27	National Foods Limited	Account Executive	Peter	Scott
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New Era Cap Company, Inc.	Account Owner	Gerard	Dowd
New Era Cap Company, Inc.	Account Executive	Gerard	Dowd
New Era Cap Company, Inc.	Account Owner	Laura	Duffy
New Era Cap Company, Inc.	Account Executive	Hafsa	Imran
New Era Cap Company, Inc.	Account Owner	James	Tobin
NewPage Corporation	Account Owner	Robert	White
NewPage Corporation	Account Owner	Jeffrey	Cesare
NewPage Corporation	Account Executive	Jeffrey	Cesare
NewPage Corporation	Account Owner	Michael	Schuetz
Newport Corporation	Account Owner	Lisa	Zawistoski
Newport Corporation	Account Executive	Lisa	Zawistoski
Newport Corporation	Account Owner	Holly	Berry
Newport Corporation	Account Owner	Joseph	Mulligan
Newport Corporation	Account Owner	Kevin	Elias
Océ-Technologies B.V.	Account Owner	Ferry	Asperen
Olin Corporation	Account Executive	Donna	Boyd
Olin Corporation	Account Executive	Cameron	Lui
Olin Corporation	Account Owner	Donna	Boyd
Olin Corporation	Account Owner	James	Contardi
Olin Corporation	Account Owner	James	Meyer
Olin Corporation	Account Owner	Justin	Litz
PCI Limited	Account Owner	Jason	Ong
PCI Limited	Account Executive	Jason	Ong
Petco Animal Supplies, Inc.	Account Owner	Lisa	Zawistoski
PetSmart, Inc.	Account Owner	Matthew	Laukaitis
PetSmart, Inc.	Account Owner	Katie	Arthur
PetSmart, Inc.	Account Executive	Brian	Budd

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PetSmart, Inc.	Account Owner	Christopher	Ito
PetSmart, Inc.	Account Executive	Christopher	Ito
PetSmart, Inc.	Account Executive	Mary	Moss
Pfizer, Inc.	Account Owner	Marshall	Haegley
Pfizer, Inc.	Account Owner	John	Zgurzynski
Pfizer, Inc.	Account Executive	John	Zgurzynski
Pfizer, Inc.	Account Executive	Eric	Bergstrom
Pfizer, Inc.	Account Executive	Nancy	Calcerano
Praxair, Inc.	Account Owner	Joseph	Nave
Praxair, Inc.	Account Owner	Michael	Wells
Praxair, Inc.	Account Executive	Michael	Wells
Praxair, Inc.	Account Owner	Brett	Van Gelder
Praxair, Inc.	Account Executive	Brett	Van Gelder
PRG-Schultz International, Inc	Account Owner	David	Son
PRG-Schultz International, Inc	Account Owner	Tim	Bowen
PRG-Schultz International, Inc	Account Executive	Tim	Bowen
PRG-Schultz International, Inc	Account Owner	Patrick	Ford
PRG-Schultz International, Inc	Account Owner	Alvaro	Vega
REINZ-Dichtungs-GmbH	Account Executive	Ronny	Bornier
Robert Half International Inc.	Account Owner	Ted	Purcell
Robert Half International Inc.	Account Owner	Melissa	Upp
Robert Half International Inc.	Account Owner	Luke	Welch
Robert Half International Inc.	Account Executive	Luke	Welch
Rockwell Automation	Account Executive	Mark	Wittenbrink
Rockwell Automation	Account Owner	Peggy	Concannon
Rockwell Automation	Account Owner	Mark	Wittenbrink
Rockwell Automation	Account Executive	Mark	Wittenbrink

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Rockwell Automation	Account Owner	Peggy	Concannon
Rockwell Automation	Account Executive	Jeffrey	Low
Ross Stores, Inc.	Account Owner	Jimmy	Malone
Ross Stores, Inc.	Account Owner	Jeffrey	McKinney
Ross Stores, Inc.	Account Owner	William	Miller
Ross Stores, Inc.	Account Executive	William	Miller
Ross Stores, Inc.	Account Owner	Bob	Esposito
Ross Stores, Inc.	Account Executive	Amy	Ross
Ross Stores, Inc.	Account Owner	Christopher	Ito
Ross Stores, Inc.	Account Executive	Christopher	Ito
Rotkäppchen Sektkellerei GmbH	Account Owner	Uwe	Walter
Rotkäppchen Sektkellerei GmbH	Account Executive	Uwe	Walter
Sara Lee Corporation	Account Owner	Tom	Carmody
Sara Lee Corporation	Account Owner	Jeff	Drukker
Sara Lee Corporation	Account Executive	David	Maters
Sara Lee Corporation	Account Owner	Jeff	Drukker
Sara Lee Corporation	Account Executive	Jeff	Drukker
Schaffner EMV AG	Account Executive	Beat	Bucher
Schaffner Holding AG	Account Owner	Peter	Schaad
Schaffner Holding AG	Account Owner	Beat	Bucher
Schaffner Holding AG	Account Executive	Beat	Bucher
		Eduard	
Schaffner Holding AG	Account Executive	Petrus	van Haaster
Seattle School District No. 1,	Account Owner	Phil	Oertli
Seattle School District No. 1,	Account Executive	Phil	Oertli
Seattle School District No. 1,	Account Executive	Ann	Nguyen
Simon Services, Inc.	Account Owner	Mark	Schermers

1	Simon Services, Inc.	Account Executive	Mark	Schermers
2	Simon Services, Inc.	Account Owner	Mike	Judge
3	Simon Services, Inc.	Account Owner	Rae	Kyriazis
4	Sony Pictures Entertainment	Account Executive	Paul	Hobcraft
5	Sony Pictures Entertainment	Account Executive	Donald	Paoni
6	Southern California Edison	Account Executive	Everett	Oliven
7	SPX Cooling Technologies	Account Owner	Troy	Eiber
8	SPX Cooling Technologies	Account Owner	Justin	Litz
9	SPX Cooling Technologies	Account Owner	Cameron	Lui
10	SPX Corporation	Account Owner	Jeffrey	Lee
11	SPX Corporation	Account Executive	Jeffrey	Lee
12	SPX Corporation	Account Owner	Mary	Kobliska
13	SPX Corporation	Account Owner	Steve	Pittman
14	SPX Flow Technology	Account Executive	Lisa	Gurskis
15	StarHub Ltd	Account Owner	Rick	Koh
16	StarHub Ltd	Account Executive	Rick	Koh
17	Suburban Propane L.P.	Account Owner	Perry	Stensland
18	Suburban Propane L.P.	Account Executive	Perry	Stensland
19	Suburban Propane L.P.	Account Owner	Mark	Caldwell
20	Suburban Propane L.P.	Account Owner	Leslie	Czemerda
21	Suburban Propane L.P.	Account Executive	Joseph	Amato
22	Syngenta Crop Protection AG	Account Executive	Bruno	Guentert
23	Syngenta Crop Protection Inc.	Account Executive	Jeffrey	Lee
24	Syngenta Crop Protection Inc.	Account Executive	Steven	Pendergast
25	TA Operating LLC	Account Owner	Scott	Brubaker
26	TA Operating LLC	Account Executive	Scott	Brubaker
27	The Capital Group Companies, Inc.	Account Owner	Charles	Schuck
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1	The Capital Group Companies, Inc.	Account Owner	Theresa	Crotty
2	The Capital Group Companies, Inc.	Account Executive	Theresa	Crotty
3	The Home Depot	Account Owner	Keith	Adams
4	The Home Depot	Account Executive	Keith	Adams
5	The Home Depot	Account Owner	Thomas	Carey
6	The Home Depot	Account Owner	Mark	Siner
7	The Home Depot	Account Owner	Theodore	Brookbank
8	The Home Depot	Account Owner	Gregory	Anderson
9	The Home Depot	Account Owner	George	Cannon
10	The Home Depot	Account Executive	Wes	Goins
11	The Manitowoc Company, Inc.	Account Owner	Peggy	Concannon
12	The Manitowoc Company, Inc.	Account Executive	Peggy	Concannon
13	The Manitowoc Company, Inc.	Account Owner	Brian	Dudley
14	The Manitowoc Company, Inc.	Account Executive	Brian	Dudley
15	The Manitowoc Company, Inc.	Account Executive	James	Walsh
16	The Oklahoma Publishing Company	Account Owner	Lee	Walinsky
17	The Oklahoma Publishing Company	Account Owner	Dean	Riley
18	The Oklahoma Publishing Company	Account Owner	Scott	Mauk
19	The Oklahoma Publishing Company	Account Executive	Scott	Mauk
20	TriQuint Semiconductor, Inc.	Account Owner	Michael	Foley
21	TriQuint Semiconductor, Inc.	Account Owner	Steven	Pene
22	TriQuint Semiconductor, Inc.	Account Executive	Steven	Pene
23	TriQuint Semiconductor, Inc.	Account Owner	Brent	Reed
24	TriQuint Semiconductor, Inc.	Account Executive	Keith	Metcalfe
25	USA Waste-Management Resources, LLC	Account Owner	Donna	Boyd
26	USA Waste-Management Resources, LLC	Account Executive	Donna	Boyd
27	Vector Limited	Account Owner	Stephane	Rossignol
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Vector Limited	Account Executive	Stephane	Rossignol
Wabash National Corporation	Account Owner	James	Quinn
Wabash National Corporation	Account Owner	Jeffrey	Cesare
Wabash National Corporation	Account Owner	Mike	Daniels
Wabash National Corporation	Account Executive	Mike	Daniels
Wabash National Corporation	Account Owner	David	Phillips
Wesfarmers Federation Insurance	Account Executive	CJ	Halvorson
Wesfarmers Federation Insurance	Account Executive	Steve	Enright
Wesfarmers Limited	Account Owner	CJ	Halvorson
Wesfarmers Limited	Account Executive	CJ	Halvorson
Yazaki Europe Limited	Account Owner	Rene	Neumann
Yazaki Europe Limited	Account Executive	Rene	Neumann
Yazaki Europe Limited	Account Executive	Andre	Borchert
Yazaki North America, Inc.	Account Owner	Mark	Schermers
Yazaki North America, Inc.	Account Owner	Doug	Young
Yazaki North America, Inc.	Account Executive	Doug	Young
Yazaki North America, Inc.	Account Executive	Amith	Fernandes
Zimmer, Inc.	Account Owner	Michael	Grimes
Zimmer, Inc.	Account Owner	Scott	Trieloff
Zimmer, Inc.	Account Executive	Scott	Trieloff
Zimmer, Inc.	Account Executive	Brian	Kosiorowski

INTERROGATORY NO. 7:

Describe all ways that Seth Ravin, George Lester, or Beth Lester were involved in the development of SAP TN's Business Model as it existed in December 2004, including as that model related to the use of Local Environments and downloading of Software and Support Materials.

1 program. Defendants will timely supplement this response in accordance the Courts guidance on
2 the 61 Customers and the parties meet and confer discussions.

3 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 14:**

4 **ALL ANSWERS TO THIS REQUEST ARE DESIGNATED AS CONFIDENTIAL**
5 **INFORMATION**

6 *TomorrowNow, SAP America, and SAP AG Answer*

7 Defendants further respond that they are not aware of any instance in which the
8 availability of TomorrowNow's services was a material contributing fact to any sales of licenses
9 of SAP software as part of the Safe Passage program.

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11 Dated: May 22, 2008.

JONES DAY

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13 By: 
14 Jason McDonnell

15 Counsel for Defendants
16 SAP AG, SAP AMERICA, INC., and
17 TOMORROWNOW, INC.

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PROOF OF SERVICE

I, Grace A. Wayte, declare:

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 555 California Street, 26th Floor, San Francisco, California 94104. On May 22, 2009, I served a copy of the attached document(s):

DEFENDANT TOMORROWNOW, INC.'S SECOND AMENDED AND SUPPLEMENTAL RESPONSES TO PLAINTIFF ORACLE CORP.'S THIRD SET OF INTERROGATORIES AND SAP AMERICA, INC.'S, AND SAP AG'S SECOND AMENDED AND SUPPLEMENTAL RESPONSES TO PLAINTIFF ORACLE CORP.'S SECOND SET OF INTERROGATORIES

- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

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Executed on May 22, 2009, at San Francisco, California.

By: *Grace Wayte*
Grace A. Wayte