EXHIBIT A

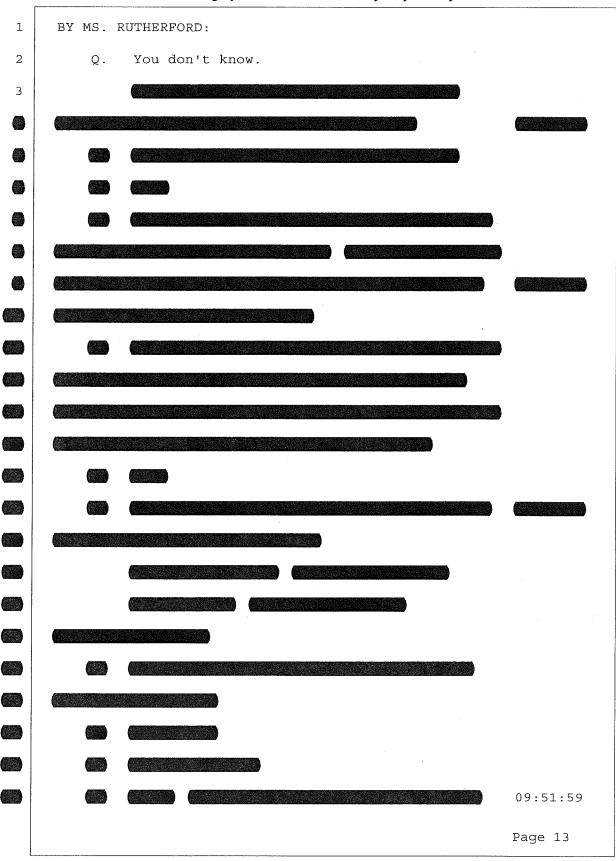
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UNITED STATES DISTRICT COURT
 1
                NORTHERN DISTRICT OF CALIFORNIA
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 3
                    SAN FRANCISCO DIVISION
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 6
     ORACLE AMERICA, INC., )
 7
                     Plaintiff, )
 8
              vs.
                                ) No. CV 10-03561
     GOOGLE, INC.,
 9
                    Defendant. )
10
11
12
13
          HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
14
15
          Videotaped Deposition of Andrew Rubin, taken at
16
     633 Battery Street, San Francisco, California,
17
     commencing at 9:39 a.m., Friday, April 27, 2012,
18
     before Ashley Soevyn, CSR 12019.
19
20
21
22
     Reported by:
23
     Ashley Soevyn, CSR. 12019
24
     Job No. 143660
25
     PAGES 1 - 80
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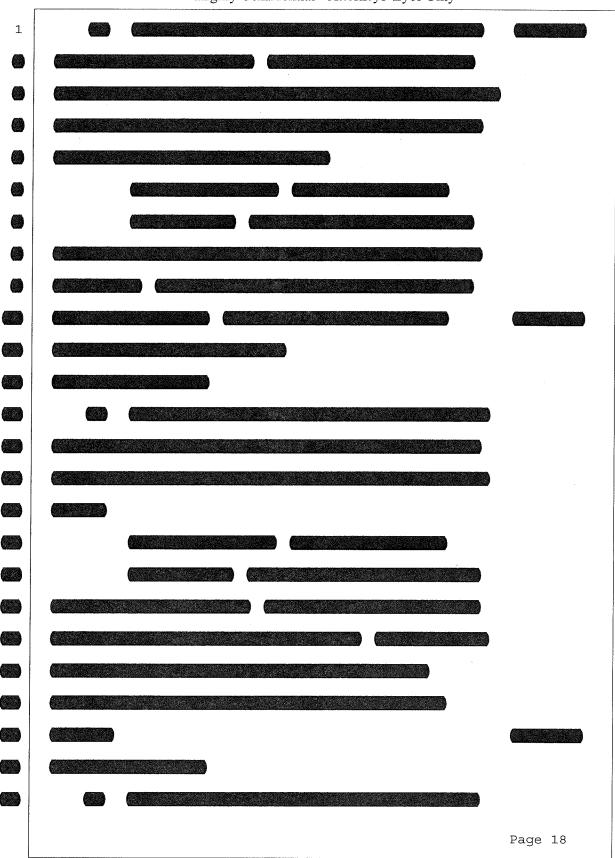
1	APPEARANCES OF COUNSEL:
2	
3	FOR THE PLAINTIFF ORACLE AMERICA, INC.:
4	
5	BOIES, SCHILLER & FLEXNER LLP
6	BY: ALANNA C. RUTHERFORD, ESQ.
7	575 Lexington Avenue, 7th Floor
8	New York, New York 10022
9	(212) 446-2300
10	arutherford@bsfllp.com
11	
12	FOR THE DEFENDANT GOOGLE, INC.:
13	
14	KING & SPALDING
15	BY: SCOTT T. WEINGAERTNER, ESQ.
16	1185 Avenue of the Americas
17	New York, NY 10036-4003
18	(212) 556-2227
19	sweingaertner@kslaw.com
20	
21	ALSO PRESENT:
22	AARON WATLEY, Videographer
23	SUSAN KIM, Google Litigation Department
24	RACHEL CALFLIN, Legal Assistant King & Spalding
25	
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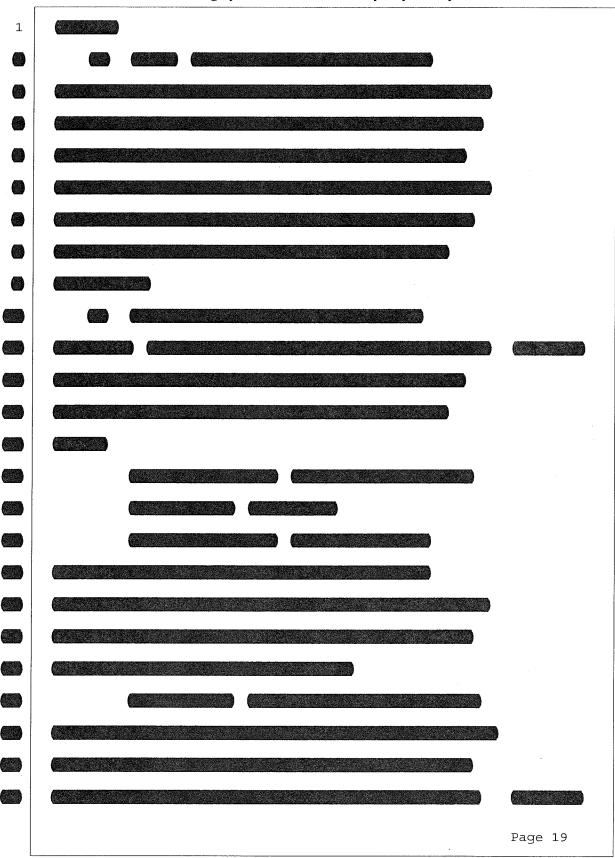
1	Q. Did you have any conversa	tions with anybody	
2	aside from counsel		-
3	A. No		
4	Q in preparation for tha	t call?	
5	A I didn't.		
6	Q. Have you reviewed Dr. Cox	's report?	
7	A. I have not.		
8	Q. Were you told why you wer	e meeting with	
9	Dr. Cox, aside from any conversati	ons you had with	
10	counsel?		
11	A. Yes, to, you know, to doc	ument the cost	
12	associated with developing Android		
13	Q. Do you know Android senio	r financial Aditya	09:42:59
14	Agarwal?	•	
15	A. Yes, I do.		
16	Q. Do you work with him on a	regular basis?	
17	A. Yes.		
18	Q. Do you believe that you're	e more fully able	
19	to respond to the questions about A	Android's expenses	
20	than Mr. Agarwal?		4
21	MR. WEINGAERTNER: Object:	ion, form.	
22	THE WITNESS: In certain a	areas. My my	
23	expertise is in the cost to develop	Android, his	
24	expertise is in finance and account	ing.	09:43:25
25	BY MS. RUTHERFORD:		
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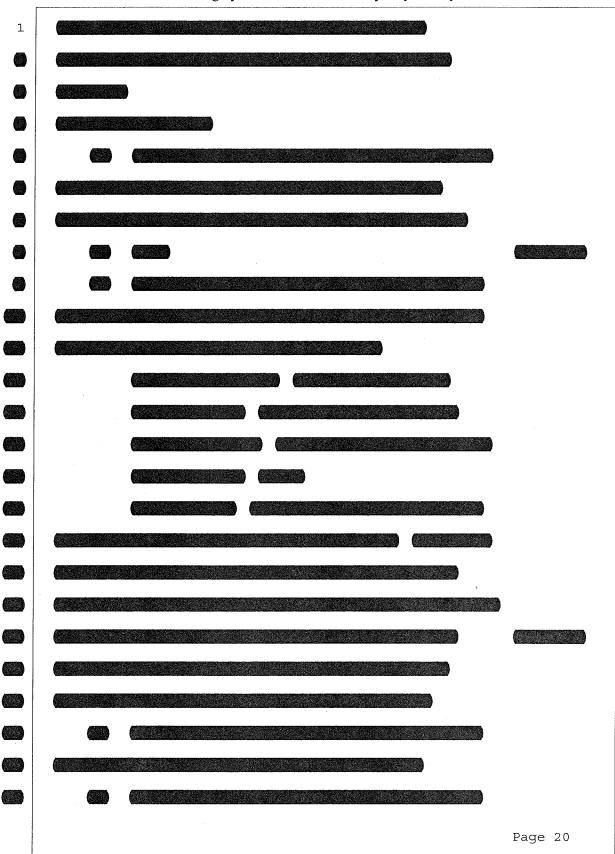
1	MR. WEINGAERTNER: Objection to form.	
2	THE WITNESS: I don't believe I said	
3	exactly that, no.	
4	BY MS. RUTHERFORD:	
5	Q. No? Well, do you recall what you said to	
6	him regarding that topic?	
7	A. When we reviewed the costs, I indicated	09:47:58
8	that there were a couple of you know, there was a	
9	couple of pieces of background information that were	
10	important to consider. One was we didn't start any	
11	of the accounting until 2008, so there's a bunch of	
12	costs associated with Android that weren't tracked	
13	before 2008. I also talked to him briefly that	09:48:22
14	although the spreadsheets in these reports	
15	represent should certainly represent costs that	
16	were part of developing Android, the spreadsheets	
17	also could include costs in other areas that weren't	
18	Android. And those were we tried our best to	
19	you know, the accounting system tries its best to	09:48:59
20	sort those out, but, you know, there's some odd	
21	chance that other data would be in there.	
22	Q. Anything else?	
23	A. No, that's about it.	
24	Q. Well, let's focus on the second point you	
25	said, that the spreadsheets had costs that were	
		Page 11

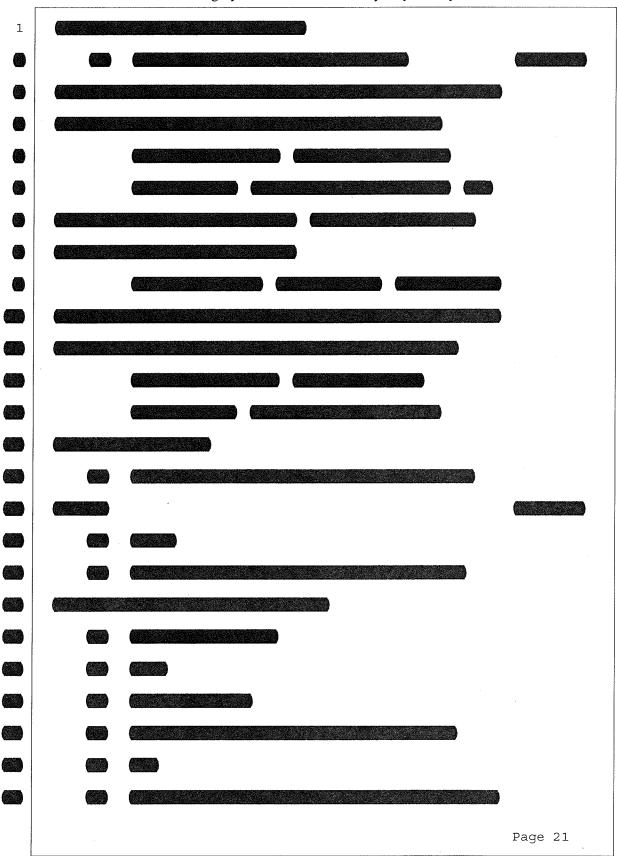
1	related to the development of Android, but in other	
2	areas as well. What are those other areas?	
3	A. Potentially other areas. I mean, it's just	
4	a side effect of the accounting system. And in	
5	that, depending on the timeframe, how we track	09:49:26
6	stuff. I don't know exactly what they were, but I	
7	would my my understanding is that these	
8	numbers included the majority of the cost all the	
9	cost of Android in its entirety.	
10	Q. Could you explain what the accounting	
11	system is?	
12	MR. WEINGAERTNER: Objection, form.	
13	THE WITNESS: I don't have I'm not an	
14	accountant, so I don't have the depth of detail on	
15	what the accounting system is. We discussed	09:49:58
16	earlier, I don't know the name of the accounting	
17	system or software they use.	
L 8	BY MS. RUTHERFORD:	
L 9	Q. Do you know the methodology?	
2 0	A. I as I understand it, it's standard	
21	accounting procedures.	
22		
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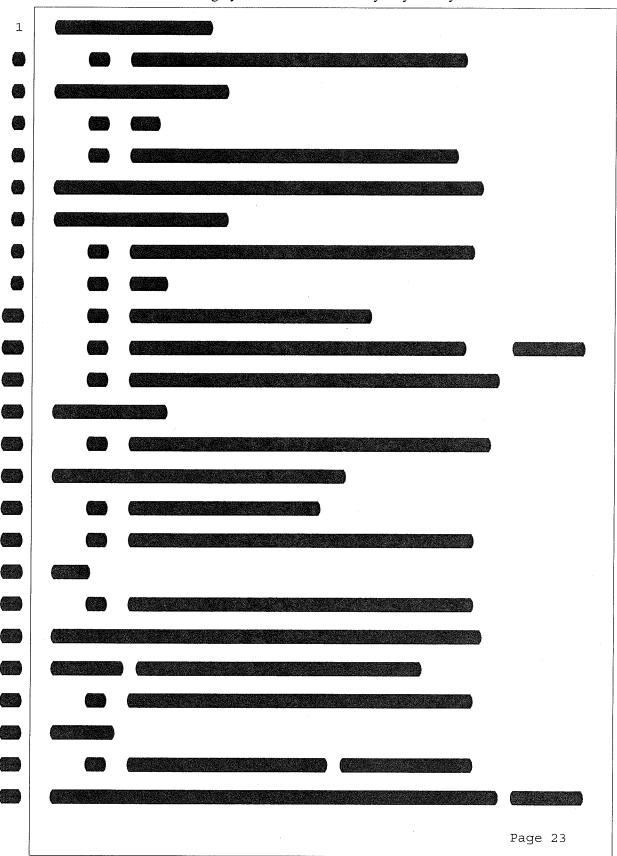


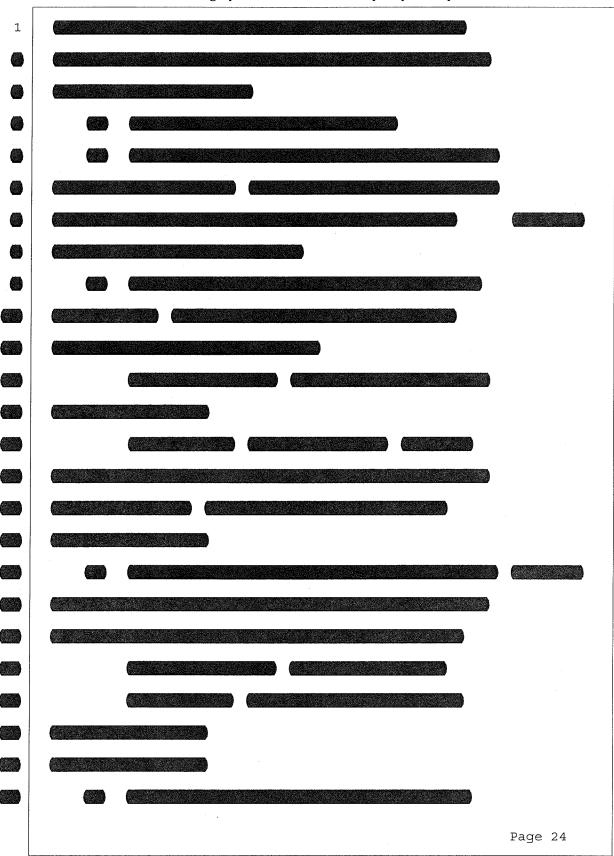


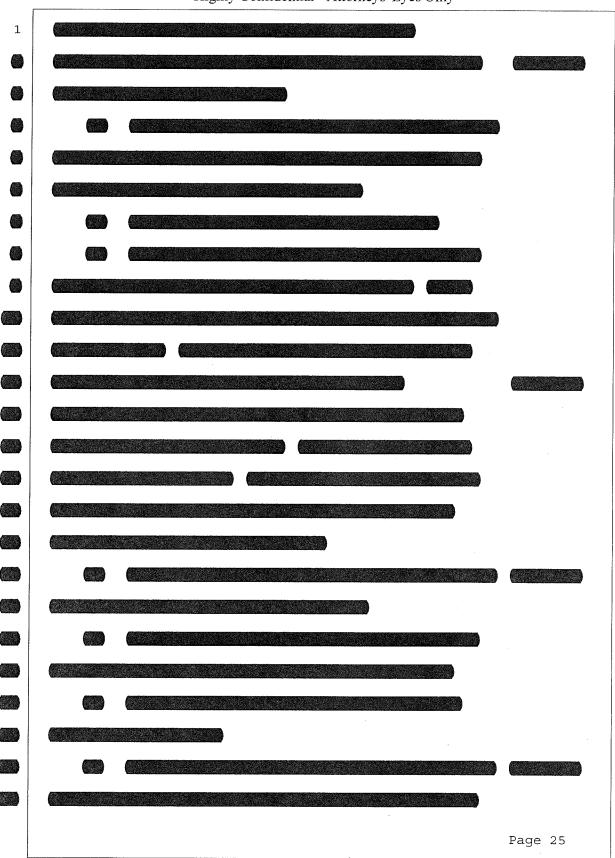


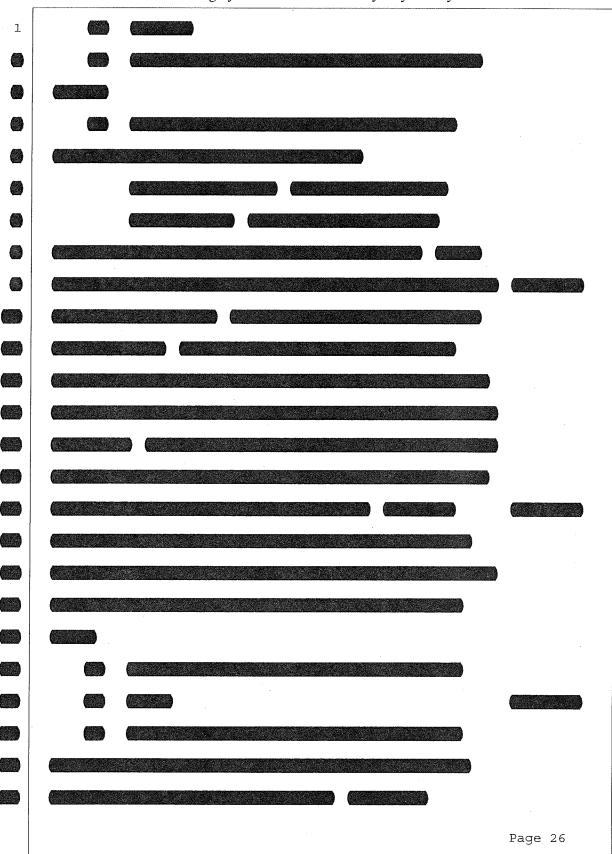


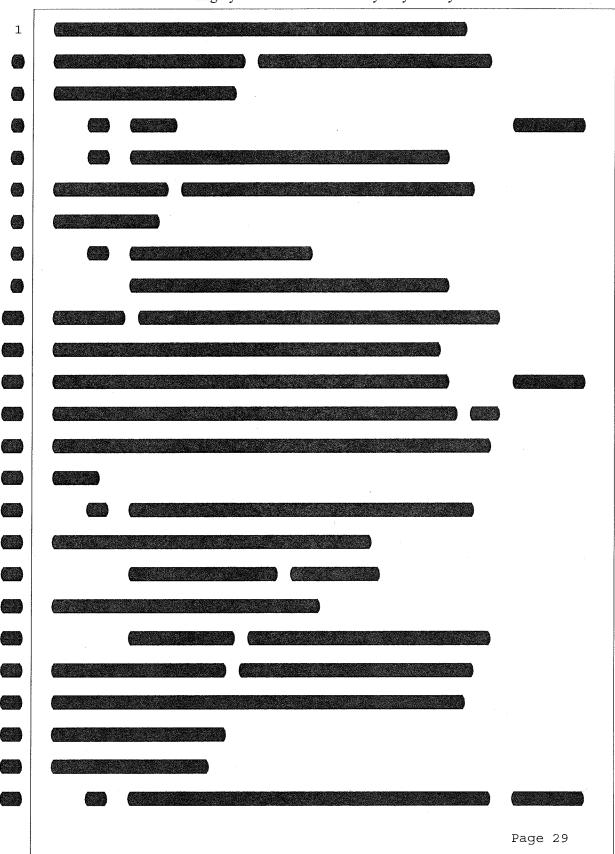


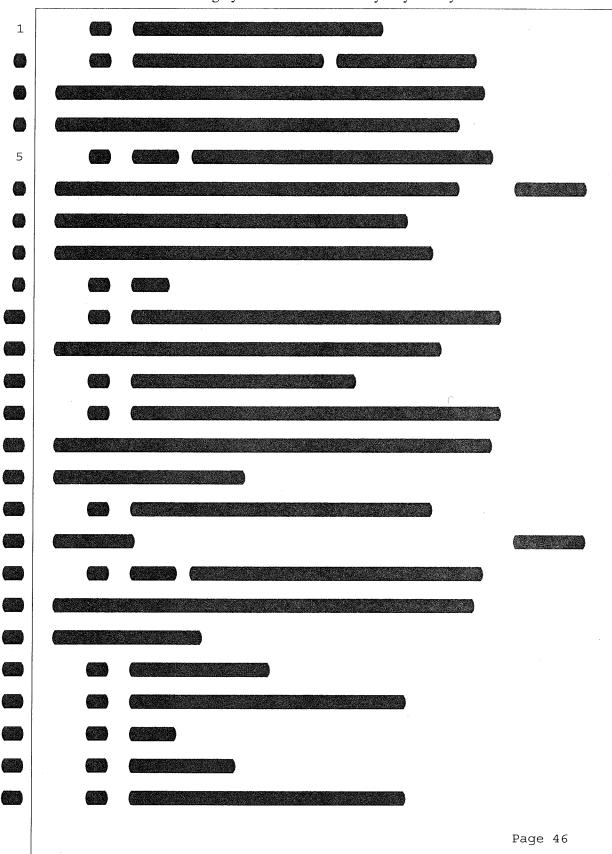


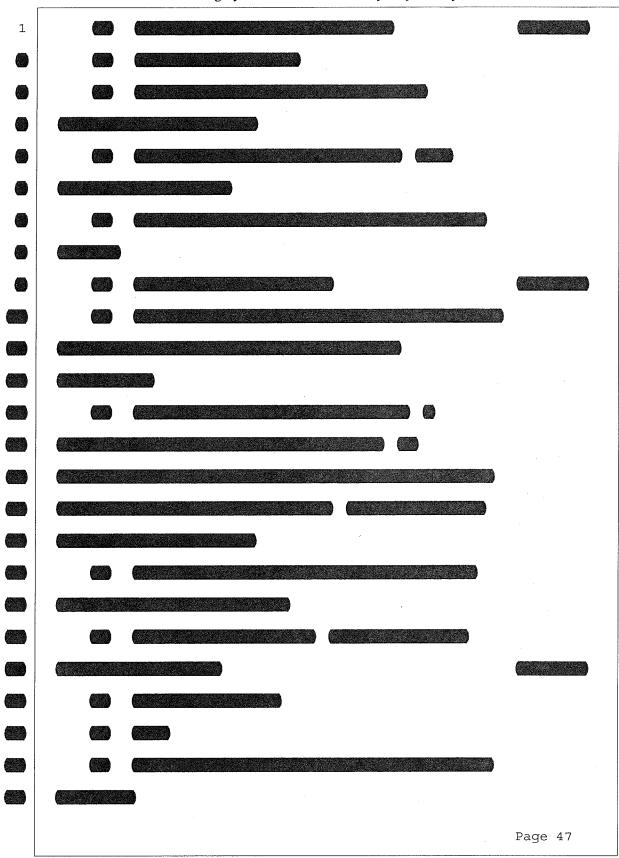


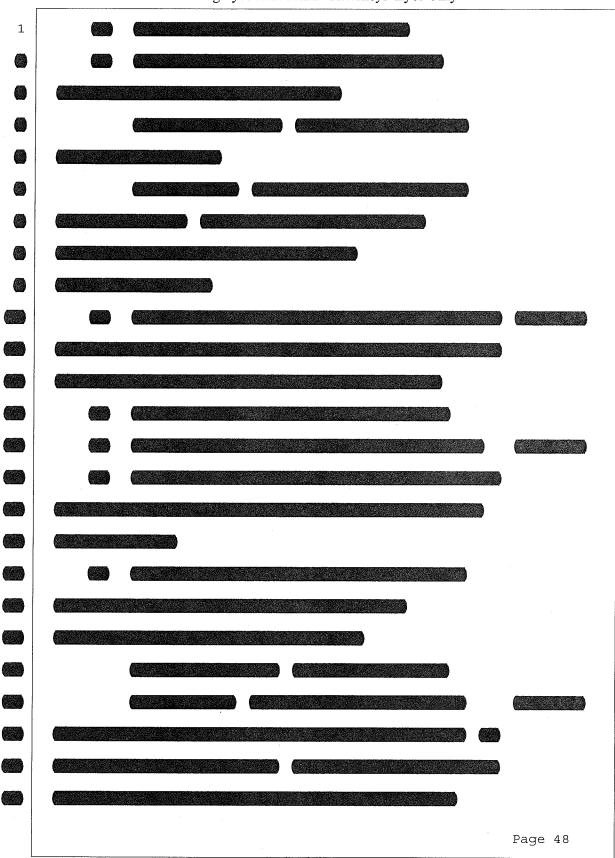


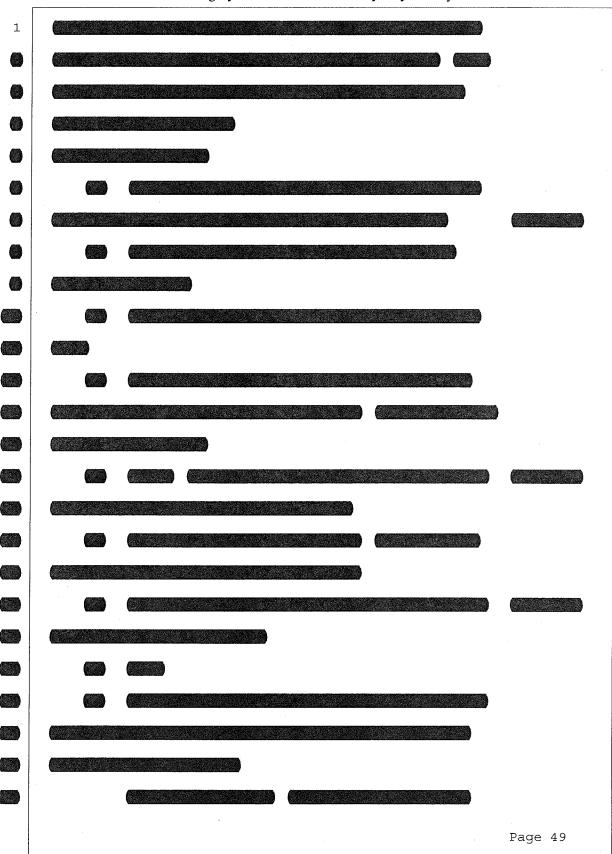


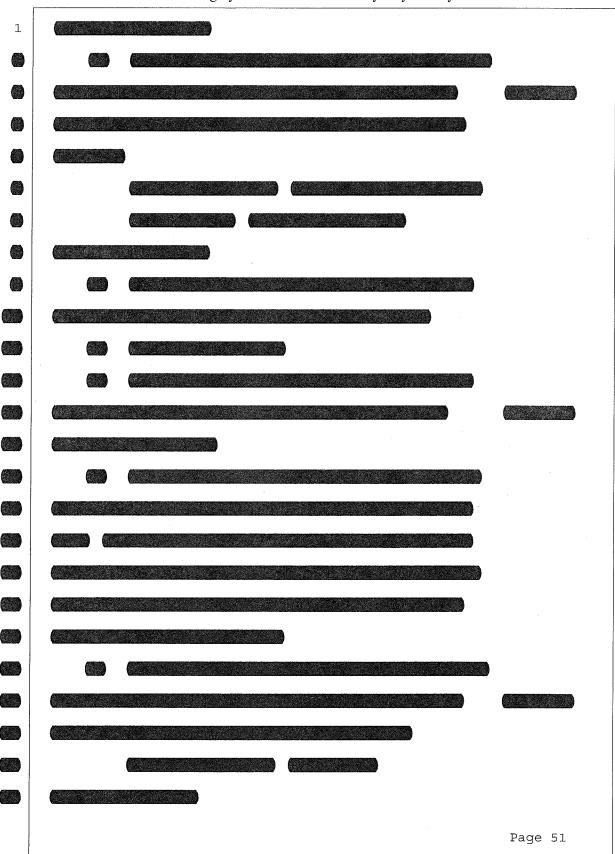






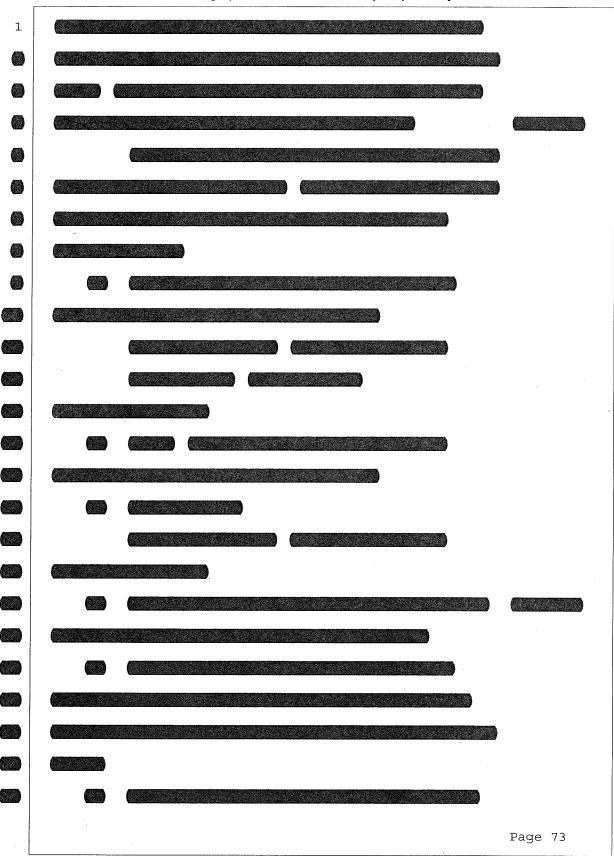


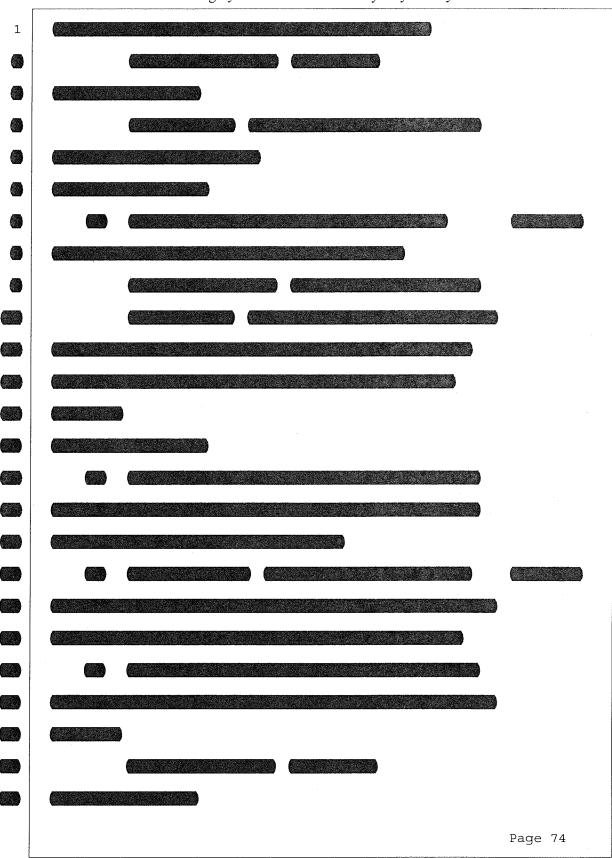


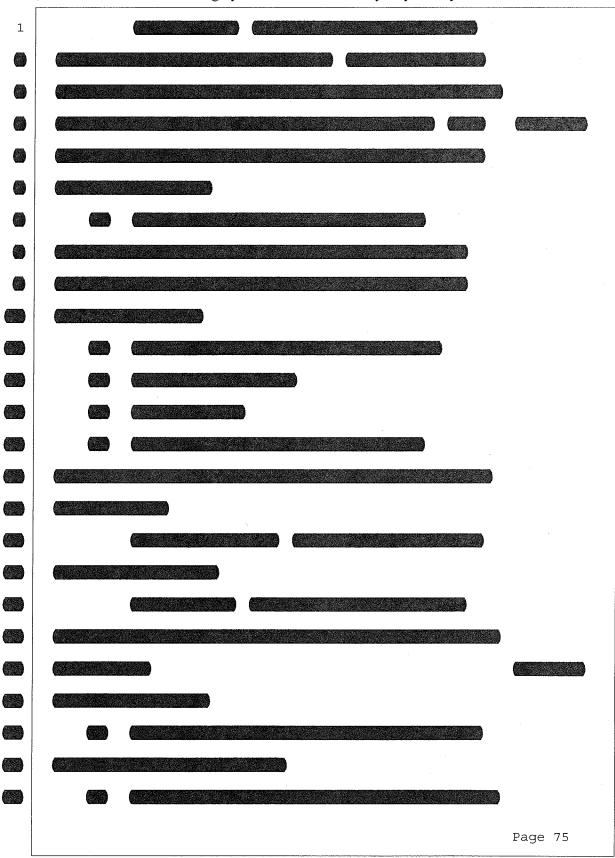


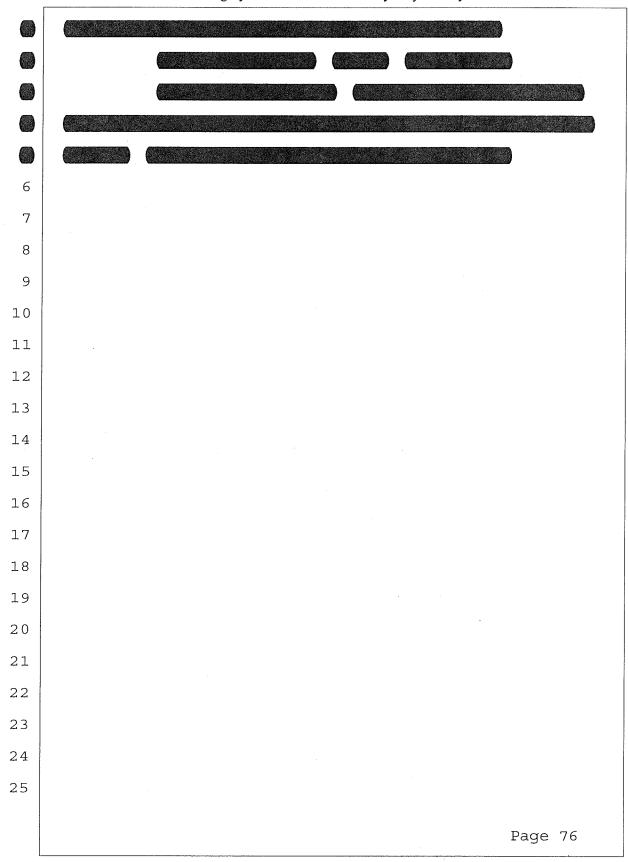
1	MR. WEINGAERTNER: Thank you.	
2	THE VIDEOGRAPHER: The time is 11:15 a.m.	
3	and we are off the record.	
4	(Recess taken.)	
5	THE VIDEOGRAPHER: The time is 11:19 a.m., 11:19:32	
6	and we are back on the record.	
7	CROSS-EXAMINATION	
8	BY MR. WEINGAERTNER:	
9	Q. Mr. Rubin just a couple of quick questions.	
10	Is the accounting information that's reflected in	
11	the Android profit and loss document that's been	
12	marked Trial Exhibit 1079, is that routinely updated	
13	every quarter by Google?	
14	A. It is. We do reports like this every	
15	quarter and they get given to me at the end of the	
16	quarter, when the reports are generated. 11:19:57	
17	Q. And is it updated by your accounting	
18	department and reviewed by you in the ordinary	
19	course of business?	
20	A. Yes, it is.	
21	Q. On a regular basis?	
22	A. Yes, quarterly.	
23	Q. And does the information in Trial Exhibit	
24	1079, the Android profit and loss information,	
25	accurately encompass Android's financial data for	
	Page 71	

1	the time period shown in the documentation?	
2	A. Yes, I believe so, to the you know, for	
3	the time period shown absolutely. As I mentioned	
4	previously, before 2008 we didn't have procedures to	
5	generate these reports.	
6	MR. WEINGAERTNER: Very good. No further 11:20:31	
7	questions.	
8	MS. RUTHERFORD: I just have one.	
9	REDIRECT EXAMINATION	
10	BY MS. RUTHERFORD:	
11	Q. You just answered that Trial Exhibit 1079	
12	accurately encompasses financial data for Android.	
13	What is what's the basis for your answer to that	
14	question?	
15	A. That the system is in place at Google, take	
16	information from the actual business unit and put it	
17	into the system. The finance team's responsibility	
18	is to make sure that that information is accurately	
19	represented and then the software outputs these 11:20:59	
20	reports quarterly.	
21		
3)		
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	1
1	STATE OF CALIFORNIA) ss:
2	COUNTY OF MARIN)
3	
4	I, ASHLEY SOEVYN, CSR No. 12019, do hereby
5	certify:
6	That the foregoing deposition testimony was
7	taken before me at the time and place therein set
8	forth and at which time the witness was administered
9	the oath;
10	That the testimony of the witness and all
11	objections made by counsel at the time of the
12	examination were recorded stenographically by me,
13	and were thereafter transcribed under my direction
14	and supervision, and that the foregoing pages
15	contain a full, true and accurate record of all
16	proceedings and testimony to the best of my skill
17	and ability.
18	I further certify that I am neither counsel for
19	any party to said action, nor am I related to any
20	party to said action, nor am I in any way interested
21	in the outcome thereof.
22	IN THE WITNESS WHEREOF, I have transcribed my
23	name this 28th day of April, 2012.
24	
25	HSHLEY SOEVYN, COR 12019
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