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UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, UNITED STATES DEPARTMENT OF LABOR, Plaintiff, v. ORACLE AMERICA, INC., Defendant.	OALJ Case No. 2017-OFC-00006 OFCCP No. R00192699 **DECLARATION OF VICTORIA THRASHER IN SUPPORT OF MOTION FOR PROTECTIVE ORDER RE: CONFIDENTIAL INFORMATION**

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Office of Administrative Law Judges
San Francisco, Ca

I, Victoria Thrasher, declare as follows:

1. I have personal knowledge of the matters contained in this declaration. I make this declaration in support of Oracle America, Inc.'s ("Oracle") motion for protective order re confidential information. If called to testify to the matters set forth in this declaration, I could and would do so competently.

2. My current position is Group Vice President of Human Resources with Oracle. As part of my regular job duties, I am familiar with Oracle's commercial and proprietary business policies, practices, strategy, processes, and procedures. I am also familiar with Oracle's policies and practices regarding personnel information and personnel records, and how such information is disseminated and maintained. I am also familiar with Oracle's policies regarding maintaining the confidentiality of information relating to Oracle's proprietary business practices, strategy, processes and procedures.

3. Oracle's human resources systems provide a key element of Oracle's overall business strategy. The way that Oracle organizes its workforce is a direct result of its effort and innovation in devising ways to make the company run effectively in a dynamic industry. These systems also provide commercially valuable information such as Oracle's business decisions

with respect to appropriate staffing levels for efficient functionality, for example, the number of sales staff and top-level managers required to oversee Oracle's business functions.

4. Oracle treats information regarding its hiring, promotion and compensation practices confidentially, in part because it would give competitors a commercial advantage to know this information. Through its internal policies, Oracle goes to great lengths to ensure that information within these systems are accessed by a very limited number of people on my team and others on a need to know basis. As such, the company places significant efforts to maintain the confidentiality of its commercial and proprietary business policies, practices, strategy, processes, and procedures. Oracle treats this information as confidential and it is Oracle's policy that it not be distributed outside of Oracle. Disclosure of confidential information outside of the Oracle would reveal commercially valuable information about Oracle that could be used by Oracle's competitors.

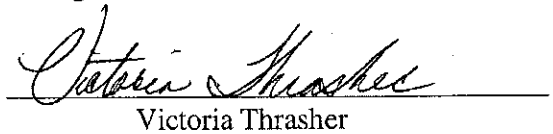
5. Oracle has made significant efforts, at considerable time and cost, to develop organization, hiring, promotion, and compensation policies, practices, strategy, processes, and procedures to attract and retain top talent in an industry where competition for employees is robust. Oracle's competitors consistently seek to recruit and hire its employees. Given the intensely competitive nature of these industries and among high-technology companies, and the frequent raiding of competitors' employees, Oracle has been careful in protecting its human resources practices. If disclosed, competitors could use the information in efforts to hire away employees or to prevent lawful and appropriate recruitment of their own employees.

6. Oracle also maintains personnel information including private information relating to current or former Oracle employees who are not parties to this lawsuit. Among other things, this information includes Oracle employees' self-reported racial, ethnic and gender characteristics; employees' compensation data; and information relating to circumstances of employment actions, such as hiring, promotions, and terminations. This information is generally

treated as confidential by Oracle and it is Oracle's policy that it not be distributed outside the company.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 20, 2017, in Washington, D.C.



Victoria Thrasher