

TIME PERIOD for positions within the Product Development, Information Technology, and Support lines of business.

RESPONSE TO REQUEST FOR PRODUCTION NO. 53:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the phrases “all levels of management,” “ability to make,” and “decision to affect.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

Subject to and without waiving these objections, Oracle responds:

After conducting a reasonably diligent search, Oracle does not keep documents in the manner contemplated by this Request and is therefore unable to produce any responsive documents.

REQUEST FOR PRODUCTION NO. 54:

All DOCUMENTS relating to PRACTICES, POLICIES, or PROCEDURES for assigning PERSONS in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD to a “salary code” or “grade” and to a job title.

RESPONSE TO REQUEST FOR PRODUCTION NO. 54:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “assigning,” “salary code,” and “grade.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

REQUEST FOR PRODUCTION NO. 55:

All DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES for

determining starting COMPENSATION (i.e., upon hire) for COLLEGE RECRUITS during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 55:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Oracle further objects to this request on the grounds that it is vague and ambiguous, including but not limited to the terms “determining” and “starting.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

Subject to and without waiving these objections, Oracle responds:

Oracle will, after conducting a reasonably diligent search and utilizing reasonable search parameters, produce responsive, non-privileged documents in its possession, custody, or control relating to the PT1 job group at its Redwood Shores, CA, location for the ALJ Relevant Period.

REQUEST FOR PRODUCTION NO. 56:

ALL DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES for determining starting COMPENSATION (i.e., upon hire) for EXPERIENCED RECRUITS hired into PT1 job group positions or into positions in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 56:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “determining,” “starting,” and “job group positions.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

Subject to and without waiving these Objections, Oracle responds:

Oracle will, after conducting a reasonably diligent search and utilizing reasonable search

parameters, produce responsive, non-privileged documents in its possession, custody, or control for the ALJ Relevant Period.

REQUEST FOR PRODUCTION NO. 57:

ALL DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES for determining starting COMPENSATION (i.e., upon hire for that particular position) for TRANSFER EMPLOYEES hired into PT1 job group positions or into positions in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD (including COMPENSATION guidelines for international TRANSFER EMPLOYEES).

RESPONSE TO REQUEST FOR PRODUCTION NO. 57:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “determining,” “starting,” and “job group positions.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

In its Initial Responses and during the meet and confer, Oracle objected to this request to the extent that it relates to TRANSFER EMPLOYEES on the grounds that such employees are not treated as new hires and thus not relevant to OFCCP’s hiring claims. However, as set forth in separate meet and confer correspondence dated June 9, 2017, after conducting a reasonably diligent search, Oracle determined that international transfer employees are treated as new hires in a number of ways, including many aspects of the job application process as well as certain reporting and internal recordkeeping purposes. Accordingly, Oracle agreed to modify its responses to reflect this information.

Subject to this understanding and without waiving these Objections, Oracle responds:

Oracle will, after conducting a reasonably diligent search and utilizing reasonable search

parameters, produce responsive, non-privileged documents in its possession, custody, or control relating to international transfer employees for the ALJ Relevant Period.

REQUEST FOR PRODUCTION NO. 58:

All DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES for determining job assignments (including but not limited to department/division, group, product team, and/or client assignments) for PERSONS in PT1 job group positions or in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 58:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “determining,” “job assignments,” and “job group positions.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

REQUEST FOR PRODUCTION NO. 59:

All DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES RELATING TO the PROMOTION process for PERSONS in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 59:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

During the meet and confer process, Oracle repeatedly explained that its objection to this

request is based on the non-relevance of promotions to the hiring and compensation claims at issue in this litigation. OFCCP's request and its stated rationale for this request during the meet and confer process improperly conflates promotions with its compensation-related claims. *See, e.g., Noel v. Boeing Co.*, 622 F.3d 266, (3d Cir. 2010) (explaining that courts treat "compensation-related claims and failure-to-promote claims as distinct grievances that are not coextensive").

REQUEST FOR PRODUCTION NO. 60:

All DOCUMENTS RELATING TO managers' requests for a PROMOTION of PERSONS in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD, including but not limited to any completed "Promotion Template."

RESPONSE TO REQUEST FOR PRODUCTION NO. 60:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party's claim or defense nor proportional to the needs of the case.

During the meet and confer process, Oracle repeatedly explained that its objection to this request is based on the non-relevance of promotions to the hiring and compensation claims at issue in this litigation. OFCCP's request and its stated rationale for this request during the meet and confer process improperly conflates promotions with its compensation-related claims. *See, e.g., Noel v. Boeing Co.*, 622 F.3d 266, (3d Cir. 2010) (explaining that courts treat "compensation-related claims and failure-to-promote claims as distinct grievances that are not coextensive").

REQUEST FOR PRODUCTION NO. 61:

For each PERSON in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD, DOCUMENTS evidencing the

PERSON's characteristics YOU considered when setting that PERSON's COMPENSATION, either upon hire or in connection with a raise or PROMOTION, including but not limited to performance evaluations or other DOCUMENTS from the PERSON's PERSONNEL FILE evidencing that PERSON's experience or qualifications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 61:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases "characteristics," "considered," "performance evaluations," "evidencing," "experience," "personnel file," or "qualification." Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party's claim or defense nor proportional to the needs of the case. Oracle further objects to this request because as stated, it calls for Oracle to speculate as to the particular characteristics or documents that any individual manager at Oracle may or may not have relied upon in making any individual compensation-related decision.

During its meet and confer call with OFCCP on June 1, 2017, Oracle explained its objections, including its objection to the relevance of information related to PROMOTIONS, which are not relevant to OFCCP's hiring and compensation claims. Oracle also explained the overly burdensome nature of responding to this request, which, as written, demands that Oracle collect and review documents from the personnel files of thousands of employees and then attempt to determine the "characteristics"—a vague and ambiguous term that OFCCP has declined to limit or clarify—that may have been considered for that employee in relation to his or her compensation. However, OFCCP declined to limit its request in any meaningful way. Accordingly, Oracle maintains its objections.

REQUEST FOR PRODUCTION NO. 62:

All DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES for

determining any changes in COMPENSATION for PERSONS in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 62:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the phrase “determining any changes.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

Subject to and without waiving these objections, Oracle responds:

Oracle will, after conducting a reasonably diligent search and utilizing reasonable search parameters, produce responsive, non-privileged documents in its possession, custody, or control related to the Support, Product Development and Information Technology job functions at its Redwood Shores, CA, location for the ALJ Relevant Period.

REQUEST FOR PRODUCTION NO. 63:

ALL DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES for setting pay ranges for job titles and/or pay grades in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 63:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the phrases “setting pay ranges,” “pay grades,” and “lines of business.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

Subject to and without waiving these objections, Oracle responds:

Oracle will, after conducting a reasonably diligent search and utilizing reasonable search parameters, produce responsive, non-privileged documents in its possession, custody, or control related to the Support, Product Development and Information Technology job functions at its Redwood Shores, CA, location for the ALJ Relevant Period.

REQUEST FOR PRODUCTION NO. 64:

All DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES reflecting how PERSONS in the Product Development, Information Technology, and Support lines of business are evaluated, ranked, and/or analyzed, during the RELEVANT TIME PERIOD, including but not limited to: standards used; the process for evaluating, ranking, and/or analyzing; positions that evaluate, rank and/or analyze; the review and approval process.

RESPONSE TO REQUEST FOR PRODUCTION NO. 64:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “reflecting,” “lines of business,” “evaluate[d],” “ranke[d],” “analyze[d],” “standards used,” and “review and approval process.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

During its meet and confer with OFCCP on June 1, 2017, Oracle explained its objections and requested that OFCCP clarify and explain this request. Following OFCCP’s explanation, Oracle requested that OFCCP provide a clarified or modified request in writing. OFCCP has yet to provide a clarified or modified request.

REQUEST FOR PRODUCTION NO. 65:

All DOCUMENTS provided to YOUR employees, including but not limited to employee handbooks, describing PRACTICES, POLICIES, or PROCEDURES RELATING TO: HIRING; job assignments (including but not limited to initial job assignments, lateral movements, and

transfers); COMPENSATION; PROMOTIONS; demotions; diversity and/or affirmative action, for PT1 job group positions and positions in the Product Development, Information Technology, and Support lines of business during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 65:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “job assignments,” “lateral movements,” “transfers,” “demotions,” “diversity,” “affirmative action,” and “lines of business.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case.

During its meet and confer with OFCCP on June 1, 2017, Oracle explained its objections and requested that OFCCP clarify and explain this request. Following OFCCP’s explanation, Oracle requested that OFCCP provide a clarified or modified request in writing. OFCCP has yet to provide a clarified or modified request.

REQUEST FOR PRODUCTION NO. 66:

All DOCUMENTS RELATING TO PRACTICES, POLICIES, or PROCEDURES for raising a complaint of: discrimination (including but not limited to race or gender); retaliation; unfair treatment; unfair COMPENSATION; and/or hostile work environment (including all PRACTICES, POLICIES, or PROCEDURES RELATING TO YOU investigating and addressing such complaints, whether internal or external) during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 66:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and

phrases “raising a complaint,” “discrimination,” “retaliation,” “unfair treatment,” “unfair COMPENSATION,” “hostile work environment,” “investigating,” and “addressing.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine.

During the meet and confer process, Oracle explained its overbreadth and relevance objections to this request. In response, OFCCP indicated that it would be willing to modify this request. In its meet and confer letter dated June 28, 2017, OFCCP only agreed to partially modify this request to remove the words “unfair treatment.”

Nevertheless, subject to this modification and without waiving its objections, Oracle responds:

Oracle will, after conducting a reasonably diligent search, produce responsive, non-privileged documents in its possession, custody, or control.

REQUEST FOR PRODUCTION NO. 67:

All DOCUMENTS RELATING TO complaints made (whether formal or informal, oral or written) against YOU (including against any and all PERSON(S) involved in HIRING for PT1 job group and/or Product Development job group positions or involved in determining COMPENSATION for employees in the Product Development, Information Technology, and Support lines of business) that allege, in whole or in part, discrimination (including but not limited to race or gender); retaliation; unfair treatment; unfair COMPENSATION; and/or hostile work environment during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 67:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and

phrases “complaints made,” “oral,” “job group positions,” involved in determining,” “in whole or in part,” “discrimination,” “retaliation,” “unfair treatment,” “unfair COMPENSATION,” “hostile work environment,” and “lines of business.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case. Oracle objects to the extent the request calls for a legal conclusion(s). Oracle further objects to this request on the grounds that it seeks confidential information that relates to and invades the privacy rights of individuals who are not a party to this action. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine.

During the meet and confer process, Oracle explained its overbreadth and relevance objections to this request, including that this request covers issues with no relevance of OFCCP’s actual claims, specifically retaliation, unfair treatment, and hostile work environment. In an effort to narrow the scope of this request to relevant individuals, Oracle also requested that OFCCP identify those individuals it contends were discriminated against as determined in its Notice of Violation. In response, OFCCP indicated that it would consider modifying this request. However, in its meet and confer letter dated June 28, 2017, OFCCP only partially modified its request to remove the words “unfair treatment” and to replace the language “including but not limited to race or gender” with “on the basis of race, gender, or national origin.” Due to OFCCP’s refusal to provide sufficient modifications to or otherwise limit this request, Oracle maintains its objections.

REQUEST FOR PRODUCTION NO. 68:

All DOCUMENTS initiating legal proceedings against YOU concerning PERSONNEL issues by PERSONS in the PT1 job group or in the Product Development, Information Technology, or Support lines of business during the RELEVANT TIME PERIOD, including but not limited to: civil lawsuits; arbitrations; and/or administrative charges of: discrimination

(including but not limited to race or gender); retaliation; unfair treatment; unfair COMPENSATION; and/or hostile work environment, including but not limited to charges filed with the Equal Employment Opportunity Commission, any state equal employment agencies, human rights agencies, or unemployment agencies.

RESPONSE TO REQUEST FOR PRODUCTION NO. 68:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “initiating legal proceedings,” “concerning,” “discrimination,” “retaliation,” “unfair treatment,” “unfair COMPENSATION,” “hostile work environment,” “any state equal employment agencies,” “human rights agencies,” and “unemployment agencies.” Oracle objects to the extent the request calls for a legal conclusion. Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case. Oracle further objects to this request on the grounds that it seeks confidential information that relates to and invades the privacy rights of individuals who are not a party to this action. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine.

During the meet and confer process, Oracle explained its overbreadth and relevance objections to this request, including that this request covers issues with no relevance of OFCCP’s actual claims, specifically retaliation, unfair treatment, and hostile work environment. In an effort to narrow the scope of this request to relevant individuals, Oracle also requested that OFCCP identify those individuals it contends were discriminated against as determined in its Notice of Violation. In response, OFCCP indicated that it would consider modifying this request. However, in its meet and confer letter dated June 28, 2017, OFCCP only partially modified its request to remove the words “unfair treatment” and to replace the language

“including but not limited to race or gender” with “on the basis of race, gender, or national origin.” Due to OFCCP’s refusal to provide sufficient modifications to or otherwise limit this request, Oracle maintains its objections.

REQUEST FOR PRODUCTION NO. 69:

All DOCUMENTS, including but not limited to employee surveys, summaries, reports, or presentations, addressing or referencing: discrimination (including but not limited to race or gender); retaliation; unfair treatment; unfair COMPENSATION; hostile work environment; morale; and/or improper management conduct during the RELEVANT TIME PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 69:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms and phrases “employee surveys,” “summaries,” “reports,” “presentations,” “addressing or referencing,” “discrimination,” “retaliation,” “unfair treatment,” “unfair COMPENSATION,” “hostile work environment,” “morale,” and “improper management conduct.” Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party’s claim or defense nor proportional to the needs of the case. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine.

During the meet and confer process, Oracle explained its overbreadth and relevance objections to this request, including that this request covers issues with no relevance of OFCCP’s actual claims, specifically retaliation, unfair treatment, and hostile work environment. In response, OFCCP indicated that it would consider modifying this request. However, in its meet and confer letter dated June 28, 2017, OFCCP only partially modified its request to remove the words “unfair treatment” and to replace the language “including but not limited to race or gender” with “on the basis of race, gender, or national origin.” Due to OFCCP’s refusal to

provide sufficient modifications to or otherwise limit this request, Oracle maintains its objections.

REQUEST FOR PRODUCTION NO. 70:

ALL GOVERNMENT CONTRACTS to which YOU have been a party during the RELEVANT TIME PERIOD, including any addenda, modifications, affirmations, and/or novations.

RESPONSE TO REQUEST FOR PRODUCTION NO. 70:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Due to OFCCP's lack of clarification or limitation of this request during the meet and confer process, Oracle maintains its objections to this request on the grounds that it is vague and ambiguous, including but not limited to the terms "addenda," "modifications," "affirmations," and "novations." Oracle further objects to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party's claim or defense nor proportional to the needs of the case. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine. Oracle further objects to this request as encompassing information already available to the OFCCP.

During its meet and confer conversations with OFCCP, Oracle sought to understand how this request is relevant to the litigation beyond showing that Oracle qualifies as a government contractor under 41 C.F.R. Chapter 60: Executive Order 11246. To satisfy what it understood the purpose of this request to be, Oracle offered to stipulate that it is a government contractor. In response, OFCCP declined to clarify its request or accept Oracle's stipulation. Instead, OFCCP provided the somewhat circular argument that the information sought in this request is relevant to Oracle's objections to OFFCP's Requests for Production that are based on proportionality. OFFCP has never subsequently modified or clarified this request in writing, and Oracle maintains its objection that this request does not seek information relevant to this litigation.

REQUEST FOR PRODUCTION NO. 71:

YOUR internal pay equity analyses conducted pursuant to 41 C.F.R. § 60-2.17 for the RELEVANT TIME PERIOD, including the date of analysis and dataset(s) used for the analysis.

RESPONSE TO REQUEST FOR PRODUCTION NO. 71:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request as overbroad in scope, oppressive, and encompassing documents not relevant to any party's claim or defense nor proportional to the needs of the case. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine. Oracle further objects to this request on the ground that it calls for a legal conclusion; specifically, as Oracle noted in its meet and confer letter dated June 9, 2017, this request, by referring to a regulation, requires Oracle to read, research, and apply the regulation to the request, which inherently requires a legal analysis of the regulation and its applicability. Oracle further objects to this request on the ground that it requires Oracle to refer to materials outside the request itself.

REQUEST FOR PRODUCTION NO. 72:

All DOCUMENTS RELATING TO actions taken during the RELEVANT TIME PERIOD in response to YOUR internal pay equity analyses conducted pursuant to 41 C.F.R. § 60-2.17.

RESPONSE TO REQUEST FOR PRODUCTION NO. 72:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to this request as overbroad in scope, unduly burdensome, oppressive, and encompassing documents not relevant to any party's claim or defense nor proportional to the needs of the case. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine. Oracle further objects to this request on the ground that it

calls for a legal conclusion; specifically, as Oracle noted in its meet and confer letter dated June 9, 2017, this request, by referring to a regulation, requires Oracle to read, research, and apply the regulation to the request, which inherently requires a legal analysis of the regulation and its applicability. Oracle further objects to this request on the ground that it requires Oracle to refer to materials outside the request itself.

REQUEST FOR PRODUCTION NO. 73:

DATABASE(S) exported in a non-proprietary format, such as an Excel-readable file (e.g., .XLS or .CSV files), with data dictionaries and/or internal documentation describing the fields/outputs containing the following, regardless of time period: PERSONNEL, PROMOTION, payroll, gender, and race data for employees in the PTI job group or in the Product Development, Information Technology, and Support lines of business. Data should include all data contained in Oracle's GSIAP system, including data from (1) the "People" window and all tabs shown on that window (i.e., "Personal," "Employment," "Office Details," "Applicant," "Further Name," "Other," and "Benefits"); (2) the "Previous Employment Information" window; (3) the "Schools and Colleges Attended" window; (4) the "Assignment" screen and all tabs shown on that window (i.e., "Salary Information," "Supervisor," "Standard Conditions," and "Statutory Information"); (5) the "Salary Administration" window; (6) the "Performance" window; (7) the "Salary History" window; and (8) the "DateTrack History of Assignments" window.

RESPONSE TO REQUEST FOR PRODUCTION NO. 73:

Oracle incorporates by reference its Objections to Specific Definitions set forth above. Following its meet and confer conversations with OFCCP, Oracle maintains its objections to the request as being vague and ambiguous, including but not limited to, as to the data being requested, as well as to the terms: "data dictionaries" and "internal documentation." Similarly the use of commas, qualifiers, "data," and "window[s]" renders the request unintelligible. Oracle further objects to this request as overbroad in scope and time, unduly burdensome, compound,

oppressive, and encompassing documents not relevant to any party's claim or defense nor proportional to the needs of the case. Oracle further objects to this request to the extent it seeks information protected by the attorney-client privilege or the attorney work product doctrine.

During the meet and confer process, Oracle explained that this request, as written, seeks the export of the entire GSIAP database, which involves a massive amount of data associated with tens of thousands of Oracle employees who are wholly unrelated to the allegations in the Amended Complaint. In response, OFCCP provided an explanation of what they were hoping to obtain with their request, stating that they were not in fact seeking the export of the GSIAP database, thus providing an interpretation of the request that is contrary to its plain language, which, as written, seeks "all data contained in Oracle's GSIAP system." Oracle suggested that OFCCP narrow its requests to better reflect OFCCP's stated intent.

Since these discussions, Oracle has continued to meet and confer with OFCCP to identify whether and how it can produce data related to this request. During the meet and confer process, Oracle has explained—with the assistance of eight witnesses produced to OFCCP to discuss Oracle's databases and the modules and applications associated with them—that its databases were not designed for the purpose of exporting data en masse in the manner contemplated by OFCCP. Oracle has further explained that exporting data for the OFCCP will require scripts to be written that collect and generate the information sought by OFCCP as well as testing, confirmation, and quality control of the results of any data export. Notwithstanding the burdensome and time-consuming nature of this process—further illustrated by OFCCP's eleven-page letter dated June 30, 2017 outlining in detail the various data they are seeking in Oracle's databases—and Oracle's objections as detailed above, Oracle continues actively working with OFCCP to provide it with data related to this request.

REQUEST FOR PRODUCTION NO. 74:

DATABASE(S) exported in a non-proprietary format, such as an Excel-readable file (e.g., .XLS or .CSV files), with data dictionaries and/or or internal documentation describing the