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Office of Administrative Law Judges
San Francisco, Ca

**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 ANJE
DODSON IN SUPPORT OF
DEFENDANT ORACLE
AMERICA, INC.'S MOTION TO
SEAL PORTIONS OF THE
EVIDENCE SUBMITTED IN
SUPPORT OF ORACLE'S
MOTION FOR SUMMARY
JUDGMENT, OR, IN THE
ALTERNATIVE, FOR PARTIAL
SUMMARY JUDGMENT AND
MOTION TO EXCLUDE THE
TESTIMONY OF JANICE
FANNING MADDEN, PH.D.**

I, Anje Dodson, declare as follows:

1. I make this declaration in support of Oracle America, Inc.'s ("Oracle") Motion to Seal Portions of the Evidence Submitted in Support of Oracle's Motion for Summary Judgment, or in the Alternative, for Partial Summary Judgment and Motion to Exclude the Testimony of Janice Fanning Madden, Ph.D. I have personal knowledge of the matters discussed in this declaration or, where stated, base my statements on my review of records kept in the regular course of business by Oracle. If called to testify to the information in this declaration, I could do so competently. Before signing this declaration, I read it carefully to make sure it was accurate, and it is. I was not pressured or required to sign this declaration, and I am providing this

DECLARATION OF ANJE DODSON IN SUPPORT OF ORACLE'S MOTION TO SEAL

declaration voluntarily.

2. I am currently a Senior Vice President of Human Resources at Oracle. I have worked for Oracle for over 20 years. I came up through the ranks at Oracle, having previously held the titles: HR Representative, Senior HR Representative, HR Business Partner, Manager of Human Resources, Senior Manager of Human Resources, Director of Human Resources, Senior Director of Human Resources, and Vice President of Human Resources.

3. Given my current and former roles and long history with Oracle, I am familiar with Oracle's policies and business practices regarding treatment of current and/or former employees' confidential information related to their personnel files and similar files housing their private information. I have reviewed the following materials that Oracle seeks to seal and the redacted versions of the same, which are attached as exhibits to the Declaration of Jonathan Riddell in Support of Defendant Oracle America, Inc.'s Motion to Seal Portions of the Evidence Submitted in Support of Oracle's Motion for Summary Judgment, or, in the Alternative, for Partial Summary Judgment and Motion to Exclude the Testimony of Janice Fanning Madden, Ph.D.:

Riddell Decl. Exhibit	Document Name	Confidential Material
A	Declaration of Farouk Abushaban in Support of Defendant Oracle America, Inc.'s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Identifying information of non-party employees: ¶¶ 10-13, 18
B	Declaration of Balaji Bashyam in Support of Defendant Oracle America, Inc.'s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Personally-identifying information about non-party employee, including compensation and performance information: ¶ 13
C	Declaration of Janet Chan in Support of Defendant Oracle America, Inc.'s Motion for Summary Judgment or, in the	Identifying information of non-party employee: ¶ 8

Riddell Decl. Exhibit	Document Name	Confidential Material
	Alternative, For Partial Summary Judgment	
D	Declaration of Jon Tyler Eckard in Support of Defendant Oracle America, Inc.’s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Identifying information of non-party employees: ¶¶ 8-10
E	Declaration of Barbara Fox in Support of Defendant Oracle America, Inc.’s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Identifying information of non-party employees: ¶¶ 10-13, 15 Performance information of non-party employees: ¶¶ 11, 15
F	Declaration of Sachin Shah in Support of Defendant Oracle America, Inc.’s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Identifying information of non-party employees: ¶¶ 8-10, 17-18 Performance information about non-party employees: ¶ 18
G	Declaration of Harmohan Suri in Support of Defendant Oracle America, Inc.’s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Bonus and equity allocation strategy, the details of which personally identify non-parties and reveal their compensation: ¶ 21 Compensation information of non-party employees: ¶ 20
H	Declaration of Chandna Talluri in Support of Defendant Oracle America, Inc.’s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Identifying information of non-party employees: ¶¶ 12-13
I	Declaration of Nachiketa Yakkundi in Support of Defendant Oracle America, Inc.’s Motion for Summary Judgment or, in the Alternative, For Partial Summary Judgment	Identifying information of non-party employees: ¶¶ 14-15, 18

Riddell Decl. Exhibit	Document Name	Confidential Material
R	Expert Report of Ali Saad, Ph.D., July 19, 2019	Identifying information of non-party employees: ¶¶ 87, 103 (fn. 70), 106-107, 110 (fn. 79), 111, 115 (fn. 89), and pp. B6-B7
T	Expert Rebuttal Report of Ali Saad, Ph.D., August 2019	<p>Personnel information of non-party employees: ¶¶ 28-30 (including Examples 1-3) (fn. 23-24), 48, and p. B3</p> <p>Identifying information of non-party employees: ¶ 28-30 (fn. 23, 24), and p. B3</p>

4. The redacted materials in the chart above contain confidential information that was derived from or is stored in the employee personnel and similar files of various current and/or former Oracle employees who are not parties to this litigation—information which Oracle goes to great lengths to protect—or contain confidential information derived from databases containing personnel information.

5. These materials include information from confidential personnel records related to various current and former employees, and Oracle restricts access to this information. Oracle limits access to these materials because they include personal, private, and highly sensitive employee information, such as compensation information or performance evaluations. Oracle respects the privacy interests of its employees and maintains strict confidentiality policies to limit dissemination of information found within employee personnel files. This includes limiting access to personnel information to those who have a legitimate business need to know. One of the ways Oracle achieves this is by restricting access through the use of login credentials that grant viewing and access rights to only those with a legitimate business need to review the

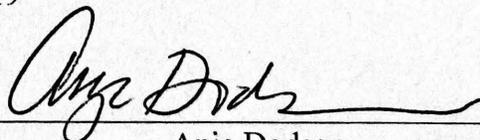
information. As an added safeguard, Oracle requires employees to sign agreements that prohibit employees from sharing other Oracle employees' personnel information.

6. The personal privacy interests of the Oracle employees identified in these documents would be directly compromised if the material became public. Not only would the disclosure of these materials amount to an intrusion on their privacy interests, it could also lead to embarrassment, or even harassment by others, including coworkers, or members of the media given the media attention in this case. This is particularly true as some of the information identified in the chart above involves discussion of the particular skills and performance of employees who are not parties to the litigation. Equally important, public disclosure of such information would serve to erode employees' confidence in Oracle's commitment to safeguarding their privacy interests.

7. In addition, many of the materials above include declaration testimony and expert materials that identify by name current and/or former Oracle employees. And even in cases where individuals are not mentioned by name, the materials divulge various pieces of information, which on their own and/or in the aggregate, would suffice to expose their identities. The testimony and other evidence, which concerns these employees, is based on data and information Oracle does not share with the public. This information upon which the deponent or declarant relied and testified about, or upon which the expert relied and opined on, regarding these individuals comes from or is housed in Oracle's personnel data that it only shares internally among those with a business need-to-know.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed in Boise, Idaho on October 18, 2019


Anje Dodson