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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

**DECLARATION OF LAURA C. BREMER IN SUPPORT OF OFCCP'S OPPOSITION  
TO ORACLE AMERICA, INC.'S MOTION FOR SUMMARY JUDGMENT, OR, IN  
THE ALTERNATIVE, FOR PARTIAL SUMMARY JUDGMENT**

I, Laura C. Bremer, state and declare as follows.

1. I am the Acting Counsel for Civil Rights for the Western Region of the Office of the Solicitor, U.S. Department of Labor, and counsel of record for Plaintiff in this action. I submit this declaration in support of OFCCP's Opposition to Oracle America Inc.'s Motion for Summary Judgment, filed October 21, 2019. I have personal knowledge of the matters set forth in this declaration, and I could and would competently testify thereto if called upon to do so.

2. OFCCP and Oracle America, Inc. ("Oracle") engaged in sixteen months of active mediation after OFCCP filed the initial complaint in this case.

3. I reviewed the correspondence between OFCCP and Oracle between OFCCP's issuance of the Notice of Violation and the filing of the complaint, and attended the conciliation meeting on October 6, 2016. Oracle produced no additional data to OFCCP between March 11, 2016 and January 17, 2017.

4. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the May 30, 2019 deposition of Joyce Westerdahl.

5. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the July 26, 2019 deposition of Kate Waggoner as person most knowledgeable for Oracle Corp. in the matter of *Jewett v. Oracle Corp. Inc.*, Case No. 17-cv-02669 (Sup. Ct. San Mateo), ORACLE\_HQCA\_0000400660-62

6. Attached hereto as Exhibit 3 is a true and correct copy of exhibit 55 to the May 24, 2019 deposition of Lynne Carrelli, "Affirmative Action at Oracle," with bates number ORACLE\_HQCA\_0000417320-58.

7. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the June 11, 2019 deposition of Madhavi Cheruvu.

8. Attached hereto as Exhibit 5 is a true and correct copy of the May 8, 2019 deposition of Shauna Holman-Harries in her capacity as a percipient witness.

9. Attached hereto as Exhibit 6 is a true and correct copy of the declaration of Kirstin Hanson Garcia, dated September 20, 2019.

10. Attached hereto as Exhibit 7 is a true and correct copy of the declaration of Christina Kolotouros, dated September 19, 2019.

11. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the July 19, 2019 deposition of Kate Waggoner as person most knowledgeable for Oracle America, Inc.

12. Attached hereto as Exhibit 9 is a true and correct copy of the declaration of Amit Sharma, dated October 25, 2019.

13. Attached hereto as Exhibit 10 is a true and correct copy of the declaration of Wilbur A. Colin McGregor, dated October 29, 2019.

14. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from the June 14, 2019 deposition of Juan Loaiza.

15. Attached hereto as Exhibit 12 is a true and correct copy of the declaration of Avinash Pandey, October 25, 2019.

16. Attached hereto as Exhibit 13 is a true and correct copy of the declaration of Diane Boross, dated October 30, 2019.

17. Attached hereto as Exhibit 14 is a true and correct copy of the declaration of Jill Arehart, dated October 24, 2019.

18. Attached hereto as Exhibit 15 is a true and correct copy of the declaration of Donna Kit Yee Ng, dated October 9, 2019.

19. Attached hereto as Exhibit 16 is a true and correct copy of excerpts from the May 24, 2019 deposition of Lynne Carrelli.

20. Attached hereto as Exhibit 17 is a true and correct copy of the May 1, 2019 deposition of Kate Waggoner in her capacity as a percipient witness.

21. Attached hereto as Exhibit 18 is a true and correct copy of an excerpt from exhibit 22 to the deposition of Anje Dodson, "Position Criteria," dated April 2008, with bates number ORACLE\_HQCA\_0000360865-66.

22. Attached hereto as Exhibit 19 is a true and correct copy of a news article with title "The Highest-Paid C.E.O.s of 2018: A Year So Lucrative, We Had to Redraw Our Chart," published by the New York Times on May 29, 2019.

23. Attached hereto as Exhibit 20 is a true and correct copy of the declaration of Rachel Powers, dated October 1, 2019.

24. Attached hereto as Exhibit 21 is a true and correct copy of the declaration of Lynn Snyder, dated October 10, 2019.

25. Attached hereto as Exhibit 22 is a true and correct copy of exhibit 53 to the May 24, 2019 deposition of Lynne Carrelli, an email from Zeira Singh regarding Larry Ellison's approval of a new college compensation package, dated August 25, 2016 with bates number ORACLE\_HQCA\_0000380453.

26. Attached hereto as Exhibit 23 is a true and correct copy of an email from Chantel Dumont to Milton Liu and Les Cundall regarding salary guidelines, dated September 11, 2013 and produced by Oracle with bates number ORACLE\_HQCA\_0000012598.

27. Attached hereto as Exhibit 24 is a true and correct copy of an email from Chantel Dumont regarding college compensation for FY2014, dated September 24, 2013 and produced by Oracle with bates number ORACLE\_HQCA\_0000023717.

28. Attached hereto as Exhibit 25 is a true and correct copy of an email from Katie Rider to James Handley regarding college hire starting salaries, dated April 16, 2015 and produced by Oracle with bates number ORACLE\_HQCA\_0000380671-73.

29. Attached hereto as Exhibit 26 is a true and correct copy of an email from Chantel Dumont to Duhong Trinh re Intern Salary Rule, dated September 14, 2013 and produced by Oracle with bates number ORACLE\_HQCA\_0000012204-10.

30. Attached hereto as Exhibit 27 is a true and correct copy of an email from Les Cundall to Elizabeth Lee regarding request to approve an offer of employment with specific compensation terms to university student, dated March 14, 2014 and produced by Oracle with bates number ORACLE\_HQCA\_0000011640-45.

31. Attached hereto as Exhibit 28 is a true and correct copy of an email from Chantel Dumont to Satarupa Bhattacharya regarding approval of an offer of employment with specific compensation terms to a university student, dated May 17, 2013 and produced by Oracle with bates number ORACLE\_HQCA\_0000012173-83.

32. Attached hereto as Exhibit 29 is a true and correct copy of emails between Wendy Lee and Redacted regarding Oracle's MAP program created by Larry Ellison, dated October 25, 2013 and produced by Oracle with bates number ORACLE\_HQCA\_0000036993-94.

33. Attached hereto as Exhibit 30 is a true and correct copy of the declaration of Bhavana Sharma, dated March 24, 2015.

34. Attached hereto as Exhibit 31 is a true and correct copy the August 1, 2019 deposition of Shauna Holman-Harries as person most knowledgeable for Oracle America, Inc.

35. Attached hereto as Exhibit 32 is a true and correct copy of excerpts from the July 1, 2019 deposition of Dr. Shirong Andy Leu.

36. Attached hereto as Exhibit 33 is a true and correct copy of interview notes from the March 25, 2015 interview of John McGinnis, produced by the Department with bates number DOL000000525-29.

37. Attached hereto as Exhibit 34 is a true and correct copy of interview notes from the March 25, 2015 interview of Marianna Gurovich, produced by the Department with bates number DOL000000554-558.

38. Attached hereto as Exhibit 35 is a true and correct copy of the June 10, 2019 errata sheet from the May 8, 2019 deposition of Shauna Holman-Harries in her capacity as a percipient witness.

39. During the litigation of this enforcement action, I have been involved with meeting and conferring with counsel for Oracle regarding discovery disputes. Oracle took the firm position from the beginning of this litigation, that it would not produce information for employees outside the groups alleged in the complaint, which for the compensation claims were the Product Development, Support, and Information Technology job functions. During a meet and confer conversation with Erin Connell, I requested that Oracle produce compensation data for all employees, because our expert had requested such data. She responded that Oracle would not produce compensation data for any employees that were not in the Product Development, Information Technology, and Support job functions. Attached hereto as Exhibit 36 is a true and correct copy of a letter from Erin Connell to Marc Pilotin and Laura Bremer regarding discovery production, dated October 11, 2017, which shows that it only produced compensation data for employees in the Product Development, Support, and Information Technology job functions.

40. Attached hereto as Exhibit 37 is a true and correct copy of a letter from Laura Bremer to Erin Connell regarding visa data discovery, dated October 11, 2017.

41. Attached hereto as Exhibit 38 is a true and correct copy of the declaration of Donna Rosburg, dated October 2, 2019.

42. Attached hereto as Exhibit 39 is a true and correct copy of a letter from John Giansello to Norman Garcia, dated March 14, 2019, indicating that Oracle would not produce visa data that had been included in the 2014 compensation snapshot (ORACLE\_HQCA\_3616). Other

than reproducing data that Oracle provided during the compliance review, Oracle never produced the visa data that it included in the 2014 compensation snapshot showing employees' visa status (other than H1-B visa status). Further, while the 2014 compensation snapshot had provided data for all Oracle employees, Oracle did not produce compensation data during this litigation for all employees at HQCA; instead, Oracle limited its production of compensation data to employees in the Product Development, Support, and Information Technology job functions.

43. Attached hereto as Exhibit 40 is a true and correct copy of a letter from Laura Bremer to Erin Connell regarding data requests, dated February 15, 2019, in which I requested additional education data that Oracle possessed (since it produced such data in 2017 for employees in the PT1 job group as part of the hiring case), but had not produced in the data pertaining to HQCA employees in the Product Development, Support, and Information Technology job in connection with the compensation claims. Ultimately, Oracle produced the additional education data requested on May 30, 2019.

44. Attached hereto as Exhibit 41 is a true and correct copy of a letter from John Giansello to Charles Song regarding production of discovery related to Oracle's affirmative action plan documents, dated May 21, 2019.

45. Attached hereto as Exhibit 42 is a true and correct copy of the declaration of Dalia Sen, dated October 26, 2019.

46. Attached hereto as Exhibit 43 is a true and correct copy of a letter from Brian Mickel to Shauna Holman-Harries regarding production of employee complaints of discrimination, dated March 4, 2015 and produced by the Department with bates number DOL000001307-08.

47. Attached hereto as Exhibit 44 is a true and correct copy of an email from Brian Mickel to Shauna Holman-Harries regarding the list of employees OFCCP sought to interview

during its onsite visit, dated March 19, 2015 and produced by the Department with bates number DOL000001285-86.

48. Attached hereto as Exhibit 45 is a true and correct copy of a letter from Jane Suhr to Gary Siniscalco, dated April 15, 2015.

49. Attached hereto as Exhibit 46 is a true and correct copy of excerpts from the June 26, 2019 deposition of Jane Suhr.

50. Attached hereto as Exhibit 47 is a true and correct copy of an email from OFCCP to Erin Connell regarding production of its Affirmative Action Plan at HQCA, dated 03/11/19.

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

Executed on November 1, 2019 in San Francisco, California.



LAURA C. BREMER

Exhibit List in Support of OFCCP's Opposition to Oracle's Motion for Summary Judgment

**Exhibits to the Declaration of Laura Bremer**

Ex. #	Title	Date	BSN
OEx_1	Dep. of Joyce Westerdahl	5/30/19	-
OEx_2	PMK Dep. of Kate Waggoner in <i>Jewett v. Oracle Corp. Inc.</i> , Case No. 17-cv-02669 (Sup. Ct. San Mateo)	7/26/18	ORACLE_HQCA_0000400660-62, various non-sequential
OEx_3	Affirmative Action at Oracle	2015 Copyright	ORACLE HQCA 0000417320-58
OEx_4	Dep. of Madhavi Cheruvu	6/11/19	-
OEx_5	Dep. of Shauna Holman-Harries	5/8/19	
OEx_6	Decl. of Kirstin Hanson Garcia	9/20/19	
OEx_7	Decl. of Christina Kolotouros	9/19/19	
OEx_8	Dep. of Kate Waggoner under Rule 30(b)(6)	7/19/19	-
OEx_9	Decl. of Amit Sharma	10/25/19	
OEx_10	Decl. of Wilbur A. Colin McGregor	10/29/19	
OEx_11	Dep. of Juan Loaiza	6/14/2019	-
OEx_12	Decl. of Avinash Pandey	10/25/19	
OEx_13	Decl. of Diane Boross	10/30/19	
OEx_14	Decl. of Jill Arehart	10/24/19	
OEx_15	Decl. of Donna Kit Yee Ng	10/9/19	
OEx_16	Dep. of Lynne Carrelli	5/24/19	-
OEx_17	Dep. of Kate Waggoner	5/1/19	-
OEx_18	Position Criteria	4/2008	ORACLE HQCA 0000360865
OEx_19	New York Times, The Highest-Paid C.E.O.s of 2018: A Year So Lucrative, We Had to Redraw Our Chart	5/29/19	
OEx_20	Decl. Rachel Powers	10/1/19	
OEx_21	Decl. of Lynn Snyder	10/10/19	
OEx_22	Email from Zeira Singh to many people re LJE approved new college compensation package	8/25/16	ORACLE_HQCA_0000380453
OEx_23	Email from Chantel Dumont to Milton Liu and Les Cundall re Salary Guidelines	9/11/13	ORACLE_HQCA_0000012598
OEx_24	Email from Chantel Dumont to various people re college compensation for FY14	9/24/13	ORACLE_HQCA_0000023717
OEx_25	Email from Katie Rider to James Handley re College Hire Starting Salaries	4/16/15	ORACLE_HQCA_0000380671-73
OEx_26	Email from Chantel Dumont to Duhong Trinh re Intern Salary Rule	9/14/13	ORACLE_HQCA_0000012204-10
OEx_27	Email from Les Cundall to Elizabeth Lee re University Offer Approval Request	3/14/14	ORACLE_HQCA 0000011640-45
OEx_28	Email from Chantel Dumont to Satarupa Bhattacharya re University Offer Approval Request	5/17/13	ORACLE_HQCA_0000012173-83

Exhibit List in Support of OFCCP's Opposition to Oracle's Motion for Summary Judgment

OEx_29	Emails between Wendy Lee and Redacted re Oracle's MAP Program created by Larry Ellison	10/25/13	ORACLE_HQCA_0000036993-94
OEx_30	Decl. of Bhavana Sharma	3/24/15	
OEx_31	Dep. of Shauna Holman-Harries under Rule 30(b)(6)	8/1/19	
OEx_32	Dep. of Dr. Shirong Andy Leu	7/1/19	
OEx_33	Interview notes from Interview of John McGinnis	3/25/15	DOL 000000525-529
OEx_34	Interview notes from Interview of Marianna Gurovich	3/25/15	DOL 000000554-558
OEx_35	Holman-Harries Errata Sheet for 5/8/19 Dep.	6/10/19	
OEx_36	Letter from Erin Connell to Marc Pilotin and Laura Bremer re discovery production	10/11/17	
OEx_37	Email from Laura Bremer to Erin Connell re visa data discovery	10/11/17	-
OEx_38	Decl. Donna Rosburg	10/2/19	-
OEx_39	Letter from John Giansello to Norman Garcia	3/14/19	
OEx_40	Letter from Laura Bremer to Erin Connell re Data Requests	2/15/19	
OEx_41	Letter from John Giansello to Charles Song re AAP production	5/21/19	
OEx_42	Decl. Dalia Sen		
OEx_43	Letter from Brian Mickel to Shauna Holman-Harries re Complaints	3/4/15	DOL000001307-08
OEx_44	Email from Brian Mickel to Shauna Holman-Harries re: HQCA Interview List	3/19/15	DOL000001285-86
OEx_45	Letter from Jane Suhr to Gary Siniscalco	4/15/15	
OEx_46	Dep. of Jane Suhr	6/26/19	
OEx_47	Email from OFCCP to Erin Connell re production of AAPs at HQCA	03/11/19	