

**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'S NOTICE OF ERRATA RE EXHIBIT 89 TO THE DECLARATION OF
NORMAN E. GARCIA IN SUPPORT OF OFCCP'S MOTION FOR SUMMARY
JUDGMENT**

RECEIVED

OCT 30 2019

**Office of Administrative Law Judges
San Francisco, Ca**

**OFCCP'S NOTICE OF ERRATA RE EX. 89 TO THE DECLARATION OF NORMAN E.
GARCIA ISO OFCCP'S SJ MOTION**

On October 21, 2019, Plaintiff OFCCP filed its Motion for Summary Judgment and Memorandum of Points and Authorities in Support of Summary Judgment. In support of that Motion, OFCCP filed the Declaration of Norman E. Garcia and Exhibits 1-108 attached thereto (together, the “Garcia Declaration”).

Upon review of these filings, OFCCP realized that exhibit 9 to Dr. Ali Saad’s deposition—Declaration of Dr. Janice F. Madden dated October 11, 2019, and exhibits attached thereto—were inadvertently omitted from Exhibit 89¹ to the Garcia Declaration. To correct this error, OFCCP files herewith a corrected declaration that amends paragraph 90 of the Garcia Declaration.² OFCCP is only filing with this declaration the incomplete exhibit and is not refiling any of the other exhibits attached to the Garcia Declaration for which there is no issue.

Oracle previously received Dr. Madden’s declaration twice. The first was at Dr. Ali Saad’s deposition on October 11, 2019. The Second was when OFCCP included it as Exhibit E to the Declaration of Laura C. Bremer in support of OFCCP’s opposition to Oracle’s October 11, 2019, motion for a protective order.

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¹ Exhibit 89 to the original Garcia Declaration is the October 11, 2019, deposition transcript of Dr. Ali Saad, Oracle’s expert witness.

² The corrected paragraph reads as follows (changes from original in bold font):
90. Attached hereto as Exhibit 89 is a true and correct copy of the October 11, 2019, deposition transcript of Dr. Ali Saad **and Exhibit 9 to the same deposition (Declaration of Dr. Janice F. Madden, dated October 11, 2019, and attachments thereto).**

OFCCP also submits herewith: a Corrected Exhibit 89, to reflect the addition of Dr. Madden's Declaration and exhibits.

DATED: October 30, 2019

Respectfully submitted,

KATE O'SCANNLAIN
Solicitor of Labor

JANET M. HEROLD
Regional Solicitor

IAN H. ELIASOPH
Counsel

LAURA C. BREMER
Acting OFCCP Counsel

BY: /s/ Norman E. Garcia
NORMAN E. GARCIA
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