



June 8, 2018

VIA ELECTRONIC MAIL ONLY

Erin M. Connell
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Re: *OFCCP v. Oracle America, Inc.*, Case No. 2017-OFC-00006,
Data Requests

Dear Erin,

As we discussed last month, OFCCP requests that Oracle supplement its data production to assist in the mediation and in the event that the mediation is unsuccessful. Specifically, OFCCP requests Oracle produce the following data:

1. On August 17, 2018, during a telephone conference, you stated that the database Oracle was preparing to produce would contain data through January 17, 2017, and that Oracle would later supplement the data. We request that the data Oracle produced during this enforcement action be supplemented and produced through the date the data is supplemented. You recently acknowledged the need to supplement the data and requested if there were any categories OFCCP did not want. Our understanding is that it will generally be easier to revise the scripts for collecting the data to seek new dates of information than to rewrite them. If there are specific categories of data that are particularly difficult to supplement and you think the parties may not be using the data, we can discuss these categories, but we do not want to engage in a lengthy meet and confer that would further delay the production of the supplemental data.
2. OFCCP requests data on all types of visas obtained by both Oracle employees and sought on behalf of applicants for PT1 positions. Specifically, OFCCP requests for Oracle employees in the PRODEV, INFTECH, and/or SUPP job functions at HQCA or applicants for positions in the PT1 job group at HQCA from January 1, 2013 to the present, data showing all visas applied for or held at any time, including the type(s) of visa(s) held and the time that they were held, and country of origin for these applicants and employees.
 - a. Oracle produced visa information in ORACLE_HQCA_0000360321, file name ORA_OFCCP016.zip, which only shows H1-B or E-3 visa status for employees in the PRODEV, INFTECH, and/or SUPP job functions at HQCA

Exhibit P-210

(and does not clearly indicate which visa was obtained). Prior to Oracle's production of the data, when we learned during a telephone call on October 11, 2017 that Oracle only intended to collect data on H1-B visas, I objected during an email later that day, that "we are concerned about Gary's comment today that the information from the immigration attorney would be limited to H1-B status. Our understanding is that, as a starting point, Oracle would be providing the same information that it provided in the 2014 compensation snapshot during the compliance review. During the compliance review, Oracle provided data not only on H1-B status, but other visa types held, and the dates of the change in status for visa types. We expected the same information to be provided in the data Oracle is collecting. We understand that you will be providing us with more information about the data that you will be producing from the other attorney." Nevertheless, Oracle continued to limit its production to H1-B (and E-3) visa information. Accordingly, we request that the data in ORACLE_HQCA_0000360321 be updated as follows:

- i. Provide data for all visas and permanent residence cards (i.e., green cards) held by persons in the relevant pools (including L visas, F-1 visas, OPT and / or OPT STEM extensions to F-1 visas, J-1 visas, and TN visas), and the dates the visas were held and / or the permanent residence cards were issued;
 - ii. The relevant pools should not be limited to Oracle employees at HQCA in the PRODEV, INFTECH, and/or SUPP job function at any point since January 1, 2013, but should also include applicants for positions in the PT1 job group at HQCA since January 1, 2013. Please provide the visas status of all applicants and hires into the PT1 job group at HQCA from January 1, 2013 through the present, including the candidates receiving college offers who are listed in ORACLE_HQCA_0000062859, along with identifiers (such as PARTY_ID, that can be used to link the visa information to the applicants and hires);
 - iii. Please provide demographic information for Oracle employees at HQCA in the PRODEV, INFTECH, and SUPP job function at any point since January 1, 2013 and applicants for positions in the PT1 job group at HQCA since January 1, 2013, including ethnicity, country of origin, gender, and race;
 - iv. The timeframe of all visa data provided should be expanded past January 17, 2017, to the date of the data pull.
3. For the college applicants from January 1, 2013 through May 2015 listed in ORACLE_HQCA_0000062859, please provide demographic information, including ethnicity, race, gender, and country of origin.

4. Please provide data for all applicants to PT1 positions at HQCA from January 1, 2013 through the present, regardless of whether the requisition for which the applicants applied was filled.
5. Oracle produced data from iRecruitment in both folder I (relating to compensation), and folder II (relating to hiring). Some of the data produced in folder II would also be relevant to the compensation case, but was not produced. Please produce the following:
 - a. PT1_HQCA_iRec_MAIN.xlsx includes several Tabs that are not included in HQCA_iRec_MAIN.xlsx, but are relevant to the compensation claim: APL_EMPLOYMENT_HISTORY, APL_QUALIFICATIONS, and APPLICANT_PROFILES.
6. Please provide historical compensation data for Oracle employees that transferred from Oracle affiliates outside of the United States. At a minimum, for employees listed in the HQCA_iRec_MAIN.xlsx file having a HIRE_TYPE of International Transfer in Column AR, or employees for which a salary in a denomination other than US dollars is listed in the CANDIDATE_CURRENT_SALARY_ATV (Column BC), please provide the employee's last comparatio aka compa ratio or compa-ratio at the Oracle affiliate.
7. During our meet and confer telephone call on August 2, 2018, we discussed the emails in Oracle's college recruiting inbox. While you indicated that resumes were not kept at the end of the fiscal year, we specifically requested production of any emails retained, but Oracle has not produced them. Please produce all emails contained in Oracle's college recruiting inbox, including all emails in the sub-folder indicating that the emails were sent to Larry Lynn. Please produce the emails and sub-folder(s) as they were kept in the ordinary course of business, so that we can discern which emails were sent to Larry Lynn and when.

If you have any questions about the requests, please let us know. We appreciate Oracle cooperating in providing the requested data as soon as possible, so that we can use it in the upcoming mediation.

Sincerely,



Laura C. Bremer
Senior Trial Attorney