



July 6, 2018

VIA ELECTRONIC MAIL ONLY

Jennifer Pitcher
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Re: *OFCCP v. Oracle America, Inc.*, Case No. 2017-OFC-00006,
Data Questions

Dear Jennifer,

This letter replies to your letter dated June 29, 2018 answering our questions about the data. We have provided a reply as necessary, retaining the numbering that corresponds to the numbering in our June 8, 2018 letter and your June 29, 2018 response.

1. Thank you for confirming our understanding of the data provided. We strongly disagree with your gratuitous comment about the relevance of visa data; it is disingenuous to claim that visa information has no relevance in this case in light of the evidence we provided regarding our discrimination claims at the mediation. However, since the production of additional data was not the subject of this letter, we will save this debate for another forum.
2. ORACLE_HQCA_0000062859:
 - a. With this request, we sought a clarification of your December 8, 2018 letter. We understand that the data in this file came from the Candidate Offers system. The question is whether the file contains ALL offers given to college applicants during this period (including, for example applicants who did not accept their offers, or did not start work at HQCA), or was limited to applicants who were hired (and actually started work)? From your answer to subsection b, we infer that this file only contains data on applicants who accepted their offers, were hired, and started work. We note that there is a Start Date associated with each entry, as well as an Employee ID. Was a start date and employee number generated even for people that did not accept their offers?
 - b. Based on your response, we understand that the file contains information for individuals who received offers for PT1 positions at HQCA, and were hired

Exhibit P-212

into those positions (which we understand to mean that they accepted the offer and started work at HQCA). Please confirm our understanding.

- c. Was there data that was input into the Candidate Offers system, but not pulled due to the scripts used to pull the data?
7. While we disagree with Oracle's interpretation of what whether applicants to PT1 positions that were not filled is relevant, we are not attempting to debate the merits of Oracle's position; we are simply attempting to determine what data Oracle produced (and what it did not).
 - a. Understanding that Oracle did not pull the data for unfilled applicants, could Oracle run a search to determine the number of applicants who applied to unfilled requisitions/vacancies for PT1 positions during the relevant time frame?
 - b.
 - c. Your letter suggests that Oracle may not have pulled every "Hire_Type" in the PT1_HQCA_IREC_MAIN.xlsx file (Column AU). Please confirm that Oracle did not pull data for applicants with a HIRE_TYPE of "Student/Intern to Regular." If there is any other "Hire_Type" that Oracle did not include when it pulled the data, please let us know the Hire_Type(s) not included.
 8. Please confirm that Oracle produced all data in the Resumate database for the relevant fiscal years. If Oracle limited the data produced by using filters or by using a script that limited the data pulled, please let us know how the data was limited.

We have follow-up regarding your "questions about the content of the data Oracle produced":

1. PT1_HQCA_iREC_MAIN.xlsx
 - a. With respect to "Internal Applicant," when you explain that the "applicant/candidate is currently an active employee," how do you define "active employee?" Does an "active employee" mean an employee of either Oracle America or an Oracle affiliate (e.g., Oracle India)?
 - b. We will await your clarification.
14. In the ALLEarnings2.xlsx file please explain the descriptions under "Balance Name." It would be great if you could provide a data dictionary for the descriptions. We want

to make sure that we understand the compensation employees received, and many of the descriptions are not self-explanatory.

a. In the AllEarnings.xlsx file, what does “Effective_Date” mean in Column F?

15. At mediation, your retained expert, Dr. Mary Baker indicated that the “product line” and “product line group” associated with each position was important to determining pay for a given position. According to Dr. Baker, “product line” was captured by the “second element from the left” in the “ORGANIZATION_HIERARCHY” data field and “product line group” was captured by the “seventh element from the right” in the “ORGANIZATION_HIERARCHY” data field. Is this accurate? Also, are there any other sources that can be used to determine the product line or product line group for a given employee in the data Oracle produced? If so, what are they?

Further, after review of the spreadsheets you provided on June 1, 2018 (ORACLE_HQCA_0000364082 to ORACLE_HQCA_0000364182), we don’t understand how to use those spreadsheets to reconstruct a historically accurate “ORGANIZATION_HIERARCHY” column. Please provide us with the information we would need to correctly populate that column, or in the alternative, provide us with a corrected data set showing the correct organization hierarchy for employees.

We look forward to your cooperation in resolving these outstanding issues regarding the data. Please let us know if you have questions about our requests.

Sincerely,



Laura C. Bremer
Senior Trial Attorney