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12 Attorneys for Defendant  
ORACLE AMERICA, INC.

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
14 COUNTY OF SAN MATEO

16 RONG JEWETT, SOPHY WANG, XIAN  
17 MURRAY, ELIZABETH SUE PETERSEN,  
18 MARILYN CLARK, AND MANJARI KANT,  
individually and on behalf of all other similarly  
19 situated,

20 Plaintiffs,

21 v.

22 ORACLE AMERICA, INC.,

23 Defendant.  
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Case No. 17CIV02669

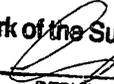
**DECLARATION OF CHAD KIDDER IN  
SUPPORT OF DEFENDANT ORACLE  
AMERICA, INC.'S OPPOSITION TO  
MOTION FOR CLASS  
CERTIFICATION**

17-CIV-02669  
DIO  
Declaration in Opposition  
1689260  


**FILED**  
**SAN MATEO COUNTY**

MAR 06 2019

Clerk of the Superior Court

By   
DEPUTY CLERK

**FILED BY FAX**

DECL. OF CHAD KIDDER ISO ORACLE'S OPPO. TO PLS.' MOT. FOR CLASS CERTIFICATION

1 I, Chad Kidder, hereby declare as follows:

2 1. I make this declaration in support of Oracle America Inc.'s ("Oracle") position that  
3 this case should not be certified as a class action. I have personal knowledge of the matters  
4 contained in this declaration. If called to testify to the information in this declaration, I could do  
5 so competently. Before signing this declaration, I read it carefully to make sure it was accurate,  
6 and it is. I was not pressured or required to sign this declaration. I am providing this declaration  
7 voluntarily.

8 2. I am currently the Director – Talent Advisory, North America Software Product  
9 Development at Oracle for all teams except Oracle Cloud Infrastructure, and have been since  
10 approximately March 2016. (I note that there was a typo in my earlier declaration in this case that  
11 indicated I had held that role only since March 2018; March 2016 is the correct month/year.) In  
12 that capacity, among other things, I manage the recruiting team for the United States responsible  
13 for filling open positions related to software development. I have been employed by Oracle since  
14 May 2007 in a variety of talent acquisition and recruiting roles including senior corporate  
15 recruiter, interim recruiting manager, senior executive recruiter, recruiting manager, and senior  
16 recruiting manager; I have been involved in thousands of hires in these recruiting-related  
17 capacities, supporting the hiring managers in the software development business. I also  
18 personally serve as a hiring manager for individuals who join my recruiting team, and have  
19 directly hired around 10 individuals in my time at Oracle. In the course of this work, I have  
20 become familiar with Oracle's policies and practices with respect to the collection and  
21 consideration of prior pay information from candidates.

22 3. I have reviewed portions of the brief that I understand Plaintiffs filed with the  
23 court in support of their class certification motion in this case, and read that Plaintiffs claim, "At  
24 least through October 31, 2017, Oracle affirmatively imposed wage inequities by mandating that  
25 employees' starting salaries be tied to their salaries at their past employer." I also read Plaintiffs'  
26 claim that Oracle had a "policy of tying salaries to prior pay." Those claims are not consistent  
27 with my knowledge of and experience at Oracle, and I believe the claims to be inaccurate.

28 4. At Oracle, hiring managers are the individuals primarily responsible for making

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DECL. OF CHAD KIDDER ISO ORACLE'S OPPO. TO PLS.' MOT. FOR CLASS CERTIFICATION

1 starting compensation decisions. Hiring managers often, but not always, consult with members of  
2 the recruiting staff who may have been involved in the candidate's recruitment process. Starting  
3 and sign-on pay decisions can be based on a variety of factors including a candidate's skills,  
4 abilities, relevant prior experience, and product knowledge, as well as the needs of the job, the  
5 hiring market, how the position fits into business's strategy, and the urgency of filling the  
6 position. The line of business, team, and product on which an employee may work can also play  
7 important roles in determining the level of starting compensation, as the skills required and  
8 experience relevant to different roles can vary dramatically in their availability in the market.  
9 The ideal candidate for a particular role—due to his or her particular set of attributes and  
10 knowledge—may have competing offers, or may otherwise demand (and be able to command)  
11 particular salary or other compensation elements. To meet Oracle's business needs, this may lead  
12 to different compensation packages being offered to applicants in different roles, even if those  
13 roles share the same system job title (or job code).

14 5. After selecting the candidate to hire and determining the starting pay to offer, the  
15 hiring manager is responsible for submitting information explaining the justification for the hire.  
16 The justification captures details specific to the candidate, which can include, but not be limited  
17 to, education, work history, product knowledge and expertise, relevant years of experience,  
18 location, and significant former employers. Prior to October 2017, the iRecruitment system into  
19 which hiring managers entered their justification included a "mandatory" field for "Candidate  
20 Current Salary," meaning completion of this field was "mandatory" for purposes of submitting  
21 the new hire justification form (sometimes called the iRecruitment Job Offer Form).

22 6. Notwithstanding the "mandatory" field on the new hire justification form (before  
23 October 2017), there has never been any policy at Oracle that required starting pay to bear any  
24 relationship to the value entered for "Candidate Current Salary." I am not aware of any managers  
25 formulaically using prior pay to determine starting pay, nor am I aware of any Oracle policy  
26 instructing managers to do so. In my experience, starting pay offers for hires with which I have  
27 been involved are driven by a host of factors specific to the role and the candidate—primary  
28 among these being the budget available for filling the role at issue, and the business's need for the

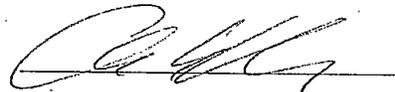
1 specific skills, experience, and talents that the individual candidate brings to the role.

2 7. In or around October 2017, Oracle implemented a policy prohibiting inquiries into  
3 prior pay. At that time, the "Candidate Current Salary" field on the new hire justification form  
4 was removed.

5 8. I have never observed any actions that support the claim that Oracle systematically  
6 compensates women differently than men, and I have never seen anyone offer a candidate a lower  
7 salary based on gender.

8 I declare under penalty of perjury under the law of the State of California that the  
9 foregoing is true and correct.

10 Executed in FT Collins, Colorado, on March 1, 2019.

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13 Chad Kidder  
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