

**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 No. R00192699

**DECLARATION OF ERIN CONNELL
IN SUPPORT OF DEFENDANT
ORACLE AMERICA, INC.'S MOTION
FOR SUMMARY JUDGMENT OR, IN
THE ALTERNATIVE, FOR PARTIAL
SUMMARY JUDGMENT**

DECLARATION OF ERIN CONNELL ISO ORACLE'S MOTION FOR SUMMARY JUDGMENT OR, IN
THE ALTERNATIVE, FOR PARTIAL SUMMARY JUDGMENT

CASE NO. 2017-OFC-00006

I, Erin M. Connell, declare as follows:

1. I am a member of the State Bar of California and authorized to practice before this Court. I am a partner with Orrick, Herrington & Sutcliffe LLP, attorneys of record for Defendant Oracle America, Inc. in the above-titled action. I make this declaration in support of Defendant Oracle America, Inc.'s Motions for Summary Judgment Or, in the Alternative, for Partial Summary Judgment. The facts set forth in this declaration I know to be true of my own personal knowledge, except where such facts are stated to be based on information and belief, and those facts I believe to be true. If called as a witness, I could and would testify competently to the matters set forth in this declaration.

2. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from Volume 1 of the transcript of the Deposition of Kate Waggoner, which took place on July 26, 2018, in the matter *Jewett et al. v. Oracle America, Inc.*, produced in this litigation as ORACLE_HQCA_0000400584.

3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the transcript of the PMK Deposition of Shauna Holman-Harries, which took place on August 1, 2019.

4. Attached hereto as **Exhibit C** is a true and correct copy of excerpts from the transcript of the PMK Deposition of Kate Waggoner, which took place on July 19, 2018.

5. Attached hereto as **Exhibit D** is a true and correct copy of excerpts from the transcript of the PMK Deposition of Jane Suhr, which took place on June 26, 2019.

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the transcript of the deposition of the PMK Deposition of Sean Ratliff, which took place on June 26, 2019, including document identified by Ratliff and marked as exhibit 14.

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from Volume 1 of the transcript of the Deposition of Shirong A. Leu, which took place on July 1, 2019.

8. Attached hereto as **Exhibit G** is a true and correct copy of excerpts from the

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Exhibit P-326

transcript of the Deposition of Joyce Westerdahl, which took place on May 30, 2019.

9. Attached hereto as **Exhibit H** is a true and correct copy of excerpts from the transcript of the Deposition of Madhavi Cheruvu, which took place on June 11, 2019.

10. Attached hereto as **Exhibit I** is a true and correct copy of PowerPoint presentation entitled “Oracle Compensation & Mapping”, produced in this litigation as ORACLE-HQCA_0000399991, which was also marked as exhibit 25 at Kate Waggoner’s July 26, 2018 Deposition in the matter *Jewett et al. v. Oracle America, Inc.*

11. Attached hereto as **Exhibit J** is a true and correct copy of a document entitled “Global Job Classification”, produced in this litigation as ORACLE-HQCA_0000400010, which was also marked as exhibit 26 at Kate Waggoner’s July 26, 2018 Deposition in the matter *Jewett et al. v. Oracle America, Inc.*

12. Attached hereto as **Exhibit K** is a true and correct copy of a document entitled “Oracle Compensation Guidelines”, produced in this litigation as ORACLE-HQCA_0000400313, which was also marked as exhibit 42 at Kate Waggoner’s July 26, 2018 Deposition in the matter *Jewett et al. v. Oracle America, Inc.*

13. Attached hereto as **Exhibit L** is a true and correct copy of a PowerPoint presentation entitled “Q4FY15 HR Webinar”, produced in this litigation as ORACLE-HQCA_0000400403, which was also marked as exhibit 51 at Kate Waggoner’s July 27, 2018 Deposition in the matter *Jewett et al. v. Oracle America, Inc.*

14. Attached hereto as **Exhibit M** is a true and correct copy of a document titled “Expert Report of Ali Saad, Ph.D.,” dated July 19, 2019, and prepared in the matter of *OFCCP v. Oracle America, Inc.*, OALJ Case No. 2017-OFC-00006.

15. Attached hereto as **Exhibit N** is a true and correct copy of a document authored by Janice Fanning Madden, Ph.D. and dated July 19, 2019, titled “Analysis of Gender and Racial Differences in Compensation at Oracle, 2013-2018.”

16. Attached hereto as **Exhibit O** is a true and correct copy of a document titled

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“Expert Rebuttal Report of Ali Saad, Ph.D.,” dated August 16, 2019, and prepared in the matter of *OFCCP v. Oracle America, Inc.*, OALJ Case No. 2017-OFC-00006.

17. Attached hereto as **Exhibit P** is a true and correct copy of a document authored by Janice Fanning Madden, Ph.D. and dated August 16, 2019, titled “Expert Rebuttal Report, Response to Dr. Ali Saad’s Expert Report on Gender and Racial Differences in Compensation at Oracle USA.”

18. Attached hereto as **Exhibit Q** is a true and correct excerpt of OFCCP’s Supplemental Objections and Answers to Oracle’s Interrogatories, Set One, which was served on Oracle on October 11, 2017.

19. Attached hereto as **Exhibit R** is a true and correct excerpt of OFCCP’s Supplemental Responses to Oracle’s Interrogatories, Set Two, which was served on Oracle on July 5, 2019.

20. Attached hereto as **Exhibit S** is a true and correct copy of excerpts from the transcript of the Deposition of Michael J. Brunetti, which took place on July 17, 2019.

21. Attached hereto as **Exhibit T** is a true and correct copy of the June 11, 2019 Declaration of Jeremiah Miller in Opposition to Oracle’s Motion to Compel OFCCP to Designate and Produce a 30(b)(6) Witness, filed in this matter on June 12, 2019.

22. Attached hereto as **Exhibit U** is a true and correct copy of excerpts from the transcript of the Expert Deposition of Janice Fanning Madden, Ph.D, which took place on October 10, 2019.

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

Executed in San Francisco, California on October 18, 2019.



Erin M. Connell

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