

**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

JOINT WITNESS LIST

Pursuant to the Court's Notice of Hearing and Pre-Hearing Order dated February 6, 2019, and Order dated September 24, 2019, Plaintiff Office of Federal Contract Compliance Programs ("OFCCP") and Defendant Oracle America, Inc. ("Oracle") hereby submit the attached Joint Witness List. The parties met and conferred prior to filing this list as required by 29 C.F.R. § 18.80(b).

Date: November 21, 2019

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JOINT WITNESS LIST

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CASE NO. 2017-OFC-00006

November 21, 2019

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ORACLE AMERICA, INC.

OFCCP's Live Witnesses

OFCCP Live Witnesses	Title/Role	What the Testimony Will Prove	Estimate of Direct	Estimate of Cross
Alexander, Nicole	Former Principal Member of Technical Staff at Oracle HQCA	Ms. Alexander will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	60	25
Aluru, Satya	Former Principal Member of Technical Staff at Oracle HQCA	Mr. Aluru will speak to his lived experience working at Oracle, including his job, his experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and his interactions with Oracle's HR department and managers regarding compensation issues.	45	20
Arehart, Jill	Former Principal Multimedia Specialist at Oracle HQCA	Ms. Arehart will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment (including working on different products), and her interactions with Oracle's HR department and/or managers regarding compensation issues.	45	20
Baxter, Tamerlane	Oracle, Senior Director Human Resources	OFCCP intends to call Ms. Baxter as an adverse witness regarding Oracle's investigations of complaints, including compensation discrimination complaints, and Oracle's policies and practices regarding protecting employees who complain against retaliation. This testimony is intended to show Oracle's disregard for redressing gender and race-based compensation disparities; and, provides support for OFCCP's claim that Oracle engaged in compensation discrimination.	45	20

OFCCP's Live Witnesses

OFCCP Live Witnesses	Title/Role	What the Testimony Will Prove	Estimate of Direct	Estimate of Cross
Bhattacharya, Ashish	Current Program Management Senior Director at Oracle HQCA	Mr. Bhattacharya will speak to his lived experience working at Oracle, including his job, his experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and his interactions with Oracle's HR department and/or managers regarding compensation issues.	30	15
Boross, Diane	Former Principal Designer at Oracle HQCA	Ms. Boross will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment (including working on different products), and her interactions with Oracle's HR department and/or managers regarding compensation issues.	45	20
Custodian of Records	Oracle's custodian of records	If necessary, Oracle's custodian of records will testify regarding the authenticity and admissibility of the documents Oracle produced.	30	5
Esteva, Patricia	Former Senior HR Analyst at Oracle HQCA	Ms. Esteva will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	30	15
Hanson Garcia, Kirsten	Former Senior Director of Organization and Development at Oracle HQCA	Ms. Hanson Garcia will provide anecdotal testimony supporting OFCCP's discrimination claims, including testifying regarding her experiences and observations working in the Human Resources job function at Oracle.	30	15
Hardman, Victoria	Current Eknowledge Engineer at Oracle HQCA	Ms. Hardman will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and/or managers regarding compensation issues.	30	15

OFCCP's Live Witnesses

OFCCP Live Witnesses	Title/Role	What the Testimony Will Prove	Estimate of Direct	Estimate of Cross
Herwadkar, Rahul	Current Consulting Member of Technical Staff at Oracle HQCA	Mr. Herwadkar will speak to his lived experience working at Oracle, including his job, his experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment (including working on different products), and his interactions with Oracle's HR department and/or managers regarding compensation issues.	60	20
Holman-Harris, Shauna		OFCCP intends to call Ms. Holman-Harries as an adverse witness. Ms. Holman-Harries oversees Oracle's compliance with OFCCP regulations, was OFCCP's point of contact during the compliance review, participated in the October 6, 2016 conciliation meeting, and is Oracle's designated representative regarding implementation of Oracle's affirmative action plan. Her testimony will support OFCCP's claims that Oracle violated OFCCP regulations during the compliance review, that OFCCP engaged in reasonable conciliation, and Oracle did not comply with OFCCP regulations requiring it to identify race and gender disparities in compensation, or correct disparities in compensation, or provide reporting to Oracle's upper management -- evidence of a intentional discrimination.	60	75
Jampana, Priyanka	Former Assessibility Specialist at Oracle HQCA	Ms. Jampana will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and/or managers regarding compensation issues.	30	15

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Klagenburg, Kirsten	Current Vice President at Oracle HQCA	Ms. Klagenburg will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	90	25
Komakula, Sri	Former Senior Principal Member of Technical Staff at Oracle HQCA	Mr. Komabula will speak to his lived experience working at Oracle, including his job, his experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and his interactions with Oracle's HR department and managers regarding compensation issues.	60	25
Madden, Janice (PhD)	Testifying expert	Dr. Madden is a labor economist and is OFCCP's testifying expert. She will testify and provide elaboration regarding her report and rebuttal report, Dr. Saad's report and rebuttal report, her declarations and attached exhibits provided in this case, providing statistical evidence supporting a finding of gender and race-based compensation discrimination, and damages.	360	150
Mensah, Kuassi	Current Director of Product Management at Oracle HQCA	Mr. Mensah will speak to his lived experience working at Oracle, including his job, his experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment (including working on different products), and his interactions with Oracle's HR department and/or managers regarding compensation issues.	60	20
Ng, Donna	Former Project Lead, Quality Assurance at Oracle HQCA	Ms. Ng will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	45	20

OFCCP's Live Witnesses

OFCCP Live Witnesses	Title/Role	What the Testimony Will Prove	Estimate of Direct	Estimate of Cross
Pandey, Avinash	Former Director at Oracle HQCA	Mr. Pandey will speak to his lived experience working at Oracle, including his job, his experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment (including working on different products and in different lines of business), and his interactions with Oracle's HR department and/or managers regarding compensation issues.	60	25
Parathasarthy, Mythily	Current Consulting Member of Technical Staff at Oracle HQCA	Ms. Parathasarthy will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment (including working on different products), and her interactions with Oracle's HR department and/or managers regarding compensation issues.	60	20
Perry, Kathryn	Current Senior Director of Communications at Oracle HQCA	Ms. Perry will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	30	15
Powers, Rachel	Former Director/ Senior Director of User Experience at Oracle HQCA	Ms. Powers will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	45	20

OFCCP's Live Witnesses

OFCCP Live Witnesses	Title/Role	What the Testimony Will Prove	Estimate of Direct	Estimate of Cross
Ratliff, Sean	District Director - San Diego District Office, OFCCP	Mr. Ratliff will testify regarding documents and data produced by Oracle.	30	15
Sharma, Bhavana	Former Senior Principal Project Manager at Oracle HQCA	Ms. Sharma will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	45	20
Stoops, Elizabeth	Former QA Analyst at Oracle HQCA	Ms. Stoops will speak to her lived experience working at Oracle, including her job, her experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and her interactions with Oracle's HR department and managers regarding compensation issues.	30	15
Suhr, Jane	Regional Director, OFCCP	Ms. Suhr will testify regarding neutral selection, jurisdiction, OFCCP's compliance review of Oracle (including information provided and not supplied by Oracle), OFCCP's Notice of Violation and Show Cause Notice, OFCCP's reasonable Conciliation with Oracle, the authenticity and admissibility of documents in OFCCP's files (including documents obtained in other compliance reviews), and the meaning of, and different ways to view Oracle's compensation data in relation to the compensation claims at issue.	45	20

OFCCP's Live Witnesses

OFCCP Live Witnesses	Title/Role	What the Testimony Will Prove	Estimate of Direct	Estimate of Cross
Vania, Zunaid	Former Senior Principal Product Manager at Oracle HQCA	Mr. Vania will speak to his lived experience working at Oracle, including his job, his experience with Oracle's compensation system, Oracle's policies and practices regarding compensation and assignment, and his interactions with Oracle's HR department and managers regarding compensation issues.	60	25

OFCCP's Depo Witnesses

OFCCP Deposition Witnesses	Title/Role	What the Testimony Will Prove
Baxter, Tamerlane	Oracle, Senior Director Human Resources	Oracle designated Ms. Baxter as its 30(b)(6) witness regarding (1) Oracle's policies, procedures, and practices related to how Oracle's employees can file complaints of discrimination and how Oracle followed up on these complaints, and (2) whether Oracle received any complaints from any employee related to pay discrimination and how Oracle handled those complaints. This testimony constitutes admissions by Oracle regarding its policies and practices for addressing complaints, including compensation discrimination complaints, which OFCCP contends evinces Oracle's disregard for redressing gender and race-based compensation disparities; and, provides support for OFCCP's claim that Oracle engaged in compensation discrimination.
Cheruvu, Madhavi	Oracle, VP of Human Resources	Ms. Cheruvu provided HR support for Thomas Kurian, Oracle's Executive Vice President of Development, who reported directly to Larry Ellison. Ms. Cheruvu's deposition testimony constitutes admissions regarding Oracle's centralized decision-making regarding compensation, Oracle's policies and practices in allocating compensation in Product Development, which OFCCP contends shows Oracle's failure to identify and correct compensation disparities and ultimately, compensation discrimination.
Dodson, Anje	Oracle, VP of Human Resources	Oracle designated Ms. Dodson in <i>Jewett v. Oracle</i> to testify regarding training provided to employees in the Product Development, Information Technology, and Support job functions, and Oracle's policies and practices regarding evaluating the performance of employees in these job functions. Her testimony constitutes admissions on these issues, which OFCCP contends shows Oracle's failure to identify and correct compensation disparities and ultimately, compensation discrimination.

OFCCP's Depo Witnesses

OFCCP Deposition Witnesses	Title/Role	What the Testimony Will Prove
Holman-Harris, Shauna	Oracle, Senior Director of Diversity Compliance, HR	<p>Oracle designated Ms. Holman-Harries as its 30(b)(6) witness regarding (1) the requests made by OFCCP and the materials produced during the compliance review of Oracle HQCA; and (2) regarding conciliation. OFCCP also deposed Ms. Holman-Harries in her individual capacity. Oracle designated Ms. Holman-Harries to manage its Equal Employment Opportunity function, including implementing its affirmative action program. This testimony will show that Oracle failed to supply employment records requested by OFCCP during the compliance review in violation of OFCCP regulations, OFCCP made reasonable efforts to conciliate with Oracle, and Oracle did not comply with OFCCP regulations requiring it to identify race and gender disparities in compensation, correct disparities in compensation, or provide reporting to Oracle's upper management -- evidence of a intentional discrimination.</p>
Kidder, Chad	Oracle, Director of Talent Advisory, North America Product Development	<p>Oracle designated Mr. Kidder in <i>Jewett v. Oracle</i> to testify regarding Oracle's policies and practices for obtaining applicants' prior employment compensation during the recruitment process and in using that information in determining their compensation at Oracle. Oracle also submitted a declaration of Mr. Kidder in support of the summary judgment motion it filed in <i>Jewett v. Oracle</i> on these issues. His testimony and declaration constitute admissions regarding these issues and will be used to establish Oracle's policies and practices regarding recruitment and information obtained during the recruiting process, and to support both OFCCP's disparate treatment and disparate impact theories of discrimination.</p>

OFCCP's Depo Witnesses

OFCCP Deposition Witnesses	Title/Role	What the Testimony Will Prove
Loiaza, Juan	Oracle, Executive Vice President, Product Development	Mr. Loiaza is an Executive Vice President in Product Development, who reported to Thomas Kurian. His testimony constitutes admissions regarding Oracle's centralized decision-making regarding compensation, Oracle's policies and practices in allocating compensation in Product Development, the adequacy of budgets provided by Oracle to make needed pay adjustments, which OFCCP contends shows Oracle's failure to identify and correct compensation disparities and ultimately, compensation discrimination.
Miranda, Steve	Oracle, Executive Vice President of Oracle Applications Product Development	Oracle filed the declaration of Mr. Miranda in support of the summary judgment motion it filed in <i>Jewett v. Oracle</i> . Mr. Miranda's declaration is an admission and OFCCP intends to use the declaration to show Oracle's organizational structure, and Oracle's products and services and the skills and responsibilities of Oracle employees in Product Development.
Thrasher, Vickie	Oracle, Group Vice President of Human Resources - Americas	Oracle filed the declaration of Vickie Thrasher on April 20, 2017 in support of its motion for protective order. The declaration is an admission and will show the data maintained in Oracle's data systems and its compensation systems and policies.

OFCCP's Depo Witnesses

OFCCP Deposition Witnesses	Title/Role	What the Testimony Will Prove
Waggoner, Kate	Oracle, Senior Director of Global Compensation, HR	<p>Oracle designated Ms. Waggoner and in Jewett v. Oracle to testify regarding numerous topics related to compensation (policies and practices, training, factors that impact, budgets for, etc.), organizational structure of Oracle, Oracle's job codes and job positions in the job functions at issue, and recruiting of candidates and offers and assignment of hires. Ms. Waggoner's testimony constitutes admissions, and will be used to show the Oracle employees who were similarly situated, establish facts regarding Oracle's organization and compensation systems, the lack of information provided to employees about compensation, Oracle policies and practices that resulted in systemic disparities of compensation based on race and gender, policies and practices Oracle implemented that failed to correct gender- and race-based disparities, and will support OFCCP's claims of compensation discrimination. Ms. Waggoner's testimony in her personal capacity provides further support on these issues.</p>

OFCCP's Depo Witnesses

OFCCP Deposition Witnesses	Title/Role	What the Testimony Will Prove
Westerdahl, Joyce	Oracle, Executive Vice President of Human Resources	<p>Ms. Westerdahl is Oracle's head of HR. Her testimony will show the structure and role of Oracle's HR executives and managers, including their involvement in compensation decisions, compensation budgets, complaints regarding compensation and discrimination, compliance with OFCCP regulations and Oracle's affirmative action plan, hiring and assignment of candidates and employees obtained through acquisitions, training provided and information available regarding compensation and race and gender. Oracle also submitted a declaration in <i>Jewett v. Oracle</i> in support of its summary judgment motion. Her testimony and declaration will support OFCCP's claims that establish facts regarding Oracle's organization and compensation systems, the lack of information provided to employees about compensation, Oracle policies and practices that resulted in systemic disparities of compensation based on race and gender, policies and practices Oracle implemented that failed to correct gender- and race-based disparities, and will support OFCCP's claims of compensation discrimination.</p>

Oracle's Live Witnesses

Oracle Live Witnesses	Title/Role	Estimate of Direct	Estimate of Cross
Farouk Abushaban	Current Oracle manager who will testify about his experiences at Oracle and the way he made compensation decisions	30	20
Kow Adjei	Current Oracle employee who will testify about his experiences at Oracle	20	20
Carolyn Balkenhol	Current Oracle Business Planning Director who will testify about the way that compensation-related approvals are made	30	30
Balaji Bashyam	Current Oracle Senior Vice President of Global Customer Support who will testify about the support function and how he makes compensation decisions	75	60
Janet Chan	Current Oracle manager who will testify about her experiences at Oracle and the way she made compensation decisions	30	20
Leor Checkik	Current Oracle employee who will testify about her experiences at Oracle	20	20
Kristen Desmond	Current Oracle manager who will testify about her experiences at Oracle and the way she made compensation decisions	30	20
Kris Edwards	Current Oracle Senior Director of Compensation who will testify about the implementation of Oracle's policy prohibiting the use of prior pay in making compensation decisions upon hire	25	20
Jon Eckard	Current Oracle manager who will testify about his experiences at Oracle and the way he made compensation decisions	30	20
Shauna Holman-Harries	Current Oracle Senior Director of Diversity Compliance who will testify about OFCCP's audit of Oracle's headquarters location and the information Oracle provided to OFCCP	0	0
Cindy Hsin	Current Oracle manager who will testify about her experiences at Oracle and the way she made compensation decisions	30	20
Thomas Kurian	Former Oracle President of Product Development who will testify about the product development function and how he made compensation decisions	60	90

Oracle's Live Witnesses

Oracle Live Witnesses	Title/Role	Estimate of Direct	Estimate of Cross
Juan Loaiza	Current Executive Vice President of Mission Critical Databases who will testify about the product development function and how he made compensation decisions	45	30
Steve Miranda	Current Oracle Executive Vice President of Oracle Applications who will testify about the product development function, the differences between products and roles at Oracle, and the way he made compensation decisions	75	60
Rita Ousterhout	Current Oracle manager who will testify about her experiences at Oracle and the way she made compensation decisions	30	20
Leslie Robertson	Current Oracle manager who will testify about her experiences at Oracle and the way she made compensation decisions	30	20
Dr. Ali Saad	Managing Partner, Resolution Economics LLC who is Oracle's retained expert who will testify regarding the flaws in Dr. Janice Madden's statistical analyses and why the Court should afford them no weight	240	240
Vickie Thrasher	Current Oracle Group Vice President of Human Resources who will testify about Oracle's employee handbook, diversity initiatives and OFCCP compliance	40	20
Kate Waggoner	Current Oracle Senior Director of Global Compensation who will testify about how compensation works at Oracle and the training conducted regarding compensation	120	60
Campbell Webb	Current Oracle Senior Vice President of Product Engineering and Operations who will testify about Oracle's information technology function and how he made compensation decisions	70	60
Nachiketa Yakkundi	Current Oracle manager who will testify about his experiences at Oracle and the way he made compensation decisions	30	20

Oracle's Depo Witnesses

Oracle Deposition Witnesses	Title/Role
Hea Jung Atkins	Via deposition testimony. Former OFCCP District Director for the San Francisco District who will testify regarding the audit of Oracle's headquarters location
Michael Brunetti	Via deposition testimony. Statistician who will testify about the statistical analysis underlying the Second Amended Complaint
Shirong Andy Leu	Via deposition testimony. OFCCP Statistician who will testify about the statistical analysis underlying the NOV.
Sean Ratliff	Via deposition testimony. District Director of San Diego District Office of OFCCP who will testify about OFCCP's requests during the audit period and Oracle's responses.
Jane Suhr	Via deposition testimony. Regional Director of the Pacific Region of OFCCP who will testify regarding OFCCP's audit of Oracle's headquarters location and the conciliation efforts that followed