

**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

**OBJECTIONS TO OFCCP'S  
AMENDED HEARING EXHIBIT  
LIST**

**RECEIVED**

**DEC 02 2019**

**Office of Administrative Law Judges  
San Francisco, Ca**

Pursuant to the Parties' agreement to submit formal objections to each other's exhibit lists today, Oracle hereby submits its objections to certain exhibits on OFCCP's exhibit list. This document is identical to the document attached to the Parties' joint status report submitted earlier today with the exception of the footer.

December 2, 2019

Respectfully submitted,

GARY R. SINISCALCO  
ERIN M. CONNELL  
WARRINGTON S. PARKER III



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Attorneys for Defendant

ORACLE AMERICA, INC.

<b>Exh #</b>	<b>Bates #</b>	<b>Date</b>	<b>Document Title/Description</b>	<b>Objections</b>
P-3	N/A	10/10/19	Deposition Transcript for Dr. Janice Madden	Oracle objects to the admission of an entire deposition.
P-4	N/A	10/11/19	Declaration of Dr. Janice Madden introduced as Ex. 9 of Dr. Ali Saad's Deposition	Hearsay Untimely disclosed opinions. <i>See</i> Oracle MIL No. 1
P-5	N/A	10/31/19	Declaration of Dr. Janice Madden	Hearsay Untimely disclosed opinions. <i>See</i> Oracle MIL No. 1.
P-6	N/A	11/07/19	Declaration of Janice F. Madden	Hearsay Untimely disclosed opinions. Fed. R. Civ. P. 26 and 37; Oracle MIL No. 1
P-7	N/A	10/11/19	Deposition Transcript for Dr. Ali Saad	Oracle objects to the admission of an entire deposition as an exhibit.
P-10	N/A	07/03/19	Condensed PMK Deposition Transcript for Tamerlane Baxter	Oracle objects to the admission of an entire deposition.
P-11	N/A	05/24/19	Condensed Deposition Transcript for Lynne Carrelli	Oracle objects to the admission of an entire deposition.
P-12	N/A	06/11/19	Condensed Deposition Transcript for Madhavi Cheruvu	Oracle objects to the admission of an entire deposition.
P-13	N/A	07/18/19	Deposition Errata Sheet for Madhavi Cheruvu's 6/11/19 Deposition	Oracle objects to the admission of an entire deposition.
P-14	398926 - 399189 <sup>1</sup>	07/26/18	Anje Dodson's Jewett PMK Deposition Transcript	Oracle objects to the admission of an entire deposition.

<sup>1</sup> Unless otherwise indicated, the Bates stamp numbers referenced in this Exhibit List refer to Oracle's production and have the preface of ORACLE\_HQCA. For ease of reading, the Bates numbers shown in this list do not include the multiple zeros that precede the relevant numbers on the documents themselves. For example, the Bates stamp numbers on the document at P-14 are ORACLE\_HQCA\_000039826 to ORACLE\_HQCA\_0000399189; the Exhibit List just shows

<b>Exh #</b>	<b>Bates #</b>	<b>Date</b>	<b>Document Title/Description</b>	<b>Objections</b>
P-15	399314 - 399378	10/16/18	Kristina Edwards' Jewett PMK Deposition Transcript	Oracle objects to the admission of an entire deposition.
P-16	N/A	05/08/19	Condensed Deposition Transcript for Shauna Holman-Harries	Oracle objects to the admission of an entire deposition.
P-17	N/A	06/10/19	Deposition Errata Sheet for Shauna Holman-Harries' 5/8/19 Deposition	Oracle objects to the admission of an entire deposition.
P-18	N/A	08/1/19	Condensed PMK Deposition Transcript for Shauna Holman-Harries	Oracle objects to the admission of an entire deposition.
P-19	N/A	09/03/19	Deposition Errata, Sheet for Shauna Holman-Harries' 8/1/19 PMK Deposition	Oracle objects to the admission of an entire deposition.
P-20	399391 - 399454	10/23/18	Chad Kidder's Jewett PMK Deposition Transcript	Oracle objects to the admission of an entire deposition.
P-21	N/A	06/14/19	Condensed Deposition Transcript for Juan Loaiza	Oracle objects to the admission of an entire deposition.
P-22	400584 - 401021	07/26/18	Kate Waggoner's Jewett PMK Deposition Transcript	Oracle objects to the admission of an entire deposition.
P-23	N/A	06/05/19	Deposition Errata Sheet for Kate Waggoner's 5/1/19 Deposition	Oracle objects to the admission of an entire deposition.
P-24	N/A	07/19/19	Condensed PMK Deposition Transcript for Kate Waggoner	Oracle objects to the admission of an entire deposition.
P-25	N/A	08/26/19	Deposition Errata Sheet for Kate Waggoner's 7/19/19 PMK Deposition	Oracle objects to the admission of an entire deposition.
P-26	N/A	05/30/19	Condensed Deposition Transcript for Joyce Westerdahl	Oracle objects to the admission of an entire deposition.

the Bates stamp numbers as 398926-399189. Where an exhibit in this list is a document that OFCCP produced in discovery, the Bates stamp number will include "DOL" before the page numbers.

OBJECTIONS TO OFCCP'S AMENDED HEARING EXHIBIT LIST

<b>Exh #</b>	<b>Bates #</b>	<b>Date</b>	<b>Document Title/Description</b>	<b>Objections</b>
P-27	N/A	07/1/19	Deposition Errata Sheet for Joyce Westerdahl's 5/30/19 Deposition	Oracle objects to the admission of an entire deposition.
P-57	N/A	01/09/15 - 01/13/15	Depo. Ex. 33 – Lisa Gordon's Revisions to OFCCP's Draft Interview Statement.	Hearsay
P-60	189	N/A	Dep. Ex. 37 – Excerpts from Oracle Created Spreadsheet minus 4th page because of privilege claim	Lacks foundation As Oracle has explained to OFCCP, this is an inadvertently produced document that is not the document provided to OFCCP during the audit. The correct document is identified on Oracle's exhibit list as D-444.
P-88	DOL 534 - 539	03/24/15 03/26/15	Dep. Ex. 72 – OFCCP's Interview Notes of Madhawi Cheruvu	Hearsay Lacks foundation
P-93	DOL 521 - 524	03/25/15	Dep. Ex. 78 – OFCCP's Interview Notes of Juan Loaiza	Hearsay Lacks foundation
P-99	417060	Copyright 2017	Dep. Ex. 84 – Screenshots from Oracle Created Document: "Workforce Compensation Hints and Tips" Video	Lacks foundation Incomplete document that constitutes "snippets" and "screenshots" from a video
P-106	41732	Copyright 2017	Dep. Ex. 92 – Oracle - Created Document: Manage Base Pay Using Cloud Self- Service	Lacks foundation Incomplete document as it is a "snippet" from "another video"
P-171	N/A	2015	2014 Snapshot (ORACLE_HQCA_000000 3616) Sorted by Three Job Functions (Inftech, Prodev, Supp) by Specialty Area by Systems Job Title by Salary Grade	Lacks foundation. Best evidence. This is not the 2014 Snapshot as produced. OFCCP has removed certain information and made other changes.

OBJECTIONS TO OFCCP'S AMENDED HEARING EXHIBIT LIST

<b>Exh #</b>	<b>Bates #</b>	<b>Date</b>	<b>Document Title/Description</b>	<b>Objections</b>
P-192	DOL 44390 - 44393	2010	Email Exchange between an Oracle Job Applicant and an Oracle Recruiter	The document is highly redacted DOL email Hearsay Lacks foundation
P-255	DOL 39983 - 40002	02/10/15	Email from Shauna Holman-Harries to Min-Chih Yeh	Hearsay as to email attachment
P-263	N/A	05/24/19	"The Highest-Paid CEOs of 2018: A Year So Lucrative, We Had to Redraw Our Chart," The New York Times	Objections contained in MIL No. 9
P-264	N/A	2017	Oracle Schedule 14A Filing Under the Securities Exchange Act of 1934	Objections contained in MIL No. 9
P-271	N/A	N/A	Deposition Errata Sheet for Dr. Janice Madden	Oracle objects to the admission of an entire deposition.
P-329	N/A	11/12/19	Deposition Errata Sheet for Dr. Ali Saad	Oracle objects to the admission of an entire deposition.
P-436	N/A	10/11/19	Backup Data For Dr. Janice Madden's October 11, 2019, Declaration	Untimely disclosed opinions. See Oracle MIL No. 1
P-450	N/A	2018	Oracle Schedule 14A Filing Under the Securities Exchange Act of 1934	Objections contained in MIL No. 9
P-451	N/A	2019	Oracle Schedule 14A Filing Under the Securities Exchange Act of 1934	Objections contained in MIL No. 9
P-499	DOL 44530	12/28/11	An Email between Oracle Employees	Lacks foundation Document produced by OFCCP after discovery cutoff

<b>Exh #</b>	<b>Bates #</b>	<b>Date</b>	<b>Document Title/Description</b>	<b>Objections</b>
P-500	DOL 44531	06/01/19	Employee's Compensation	Lacks foundation Incomplete document Document produced by OFCCP after discovery cutoff
P-501	DOL 44 532	2017	An Email between Oracle Employees	Lacks foundation Incomplete document Document produced by OFCCP after discovery cutoff
P-502	DOL 44533	08/25/11	Emails between Oracle Employees	Lacks foundation Incomplete document Document produced by OFCCP after discovery cutoff
P-503	DOL 44534	N/A	Emails between Oracle Employees	Lacks foundation Incomplete document Document produced by OFCCP after discovery cutoff
P-504	DOL 44535	06/01/19	Compensation History	Lacks foundation Incomplete document Document produced by OFCCP after discovery cutoff
P-505	DOL 44536	N/A	Emails between Oracle Employees	Lacks foundation Incomplete document Document produced by OFCCP after discovery cutoff

**PROOF OF SERVICE BY ELECTRONIC MAIL**

I am more than eighteen years old and not a party to this action. My business address is Orrick, Herrington & Sutcliffe LLP, The Orrick Building, 405 Howard Street, San Francisco, California 94105-2669. My electronic service address is [jkaddah@orrick.com](mailto:jkaddah@orrick.com).

On December 2, 2019, I served the interested parties in this action with the following document(s):

**OBJECTIONS TO OFCCP'S AMENDED HEARING EXHIBIT LIST**

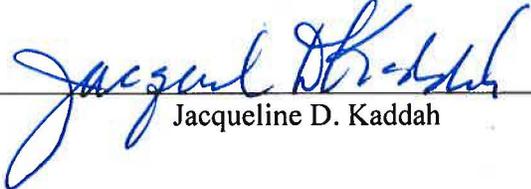
by serving true copies of these documents via electronic mail in Adobe PDF format the documents listed above to the electronic addresses set forth below:

Laura Bremer ([Bremer.Laura@dol.gov](mailto:Bremer.Laura@dol.gov))  
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 2, 2019, at San Francisco, California.

  
\_\_\_\_\_  
Jacqueline D. Kaddah