

**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

**DEPOSITION DESIGNATIONS  
RE THE DEPOSITION OF  
DEPOSITION OF TAMERLANE  
BAXTER - RULE 30(B)(6) JULY 3,  
2019**

Pursuant to the Court's Order on December 9, 2019, Oracle hereby submits the following deposition designations, including any errata and/or objections to such testimony by either party. To the extent that the testimony designated herein calls for privileged and/or confidential information, Oracle objects.

Respectfully submitted,

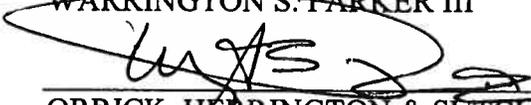
December 20, 2019

GARY R. SINISCALCO  
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DEPOSITION DESIGNATIONS RE THE DEPOSITION OF DEPOSITION OF TAMERLANE BAXTER  
RULE 30(B)(6) JULY 3, 2019

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

**12:25-13:24**

25 MS. BREMER: So I'd like to mark as

**13**

1 Exhibit No. 93 OFCCP's Amended Notice of Deposition

2 and Demand for the Designation of Rule 30(b)(6)

3 Deponent Regarding Topics 31 and 32.

4 (Whereupon, Exhibit 93 was marked for

5 identification.)

6 (Discussion off the record.)

7 BY MS. BREMER:

8 Q. Go ahead and take a look at --

9 A. Oh, sure.

10 Q. -- at the exhibit.

11 Have you seen this document before?

12 A. This exact document?

13 Q. Have you seen a copy of this document

14 before?

15 A. I don't believe so. I've seen something

16 with these -- the 31 and 32 listed, though. I think

17 it was a slightly different document than this.

18 Q. Okay. So it lists two topics for

19 deposition, No. 31 and 32. Do you see that?

20 A. I do.

21 Q. Is it your understanding that you are going

22 to testify on behalf of Oracle regarding these two

23 topics of deposition?

24 A. It is.

**20:5-24:23**

5 · · · · Q. So if I'm understanding you, you've been a

6 · senior director of HR since 2012, but your role with

7 · respect to workplace investigations has been just

8 · since late 2014?

9 · · · · A. That's correct.

10 · · · · Q. And who handled workplace investigations at

11 · Oracle between January 1st, 2013 until the time that

12 · you started in that role?

13 · · · · A. Workplace investigations were handled by HR

14 · business partners, as they are today. We've just

15 · added some dedicated resources.

16 · · · · Q. So your position is a new position?

17 · · · · A. It was a new position when I took it four

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

18· years ago. Parts of it. Let me just clarify --  
19· sorry, I didn't mean to interrupt you.  
20· . . . Q. Go ahead.  
21· MR. PARKER: No, you should go on and  
22· clarify.  
23· THE WITNESS: Okay. So part of my job was  
24· a new role, right? The part that pertains to  
25 managing our dedicated resources around employee and

**21**

1· workplace investigations.  
2· The role of, like, HR manager for HR,  
3· that's always, as long as I've worked at Oracle,  
4· been in existence. Someone else just had that role,  
5· for instance.  
6· BY MS. BREMER:  
7· . . . Q. So the part -- the dedicated resources  
8· regarding the -- or having one person in charge of  
9· the workforce investigations, was that the part that  
10· was new with you in 2014?  
11· MR. PARKER: Misstates the testimony.  
12· THE WITNESS: Let me try to be more clear.  
13· So I was running our M&A HR function. I  
14· was asked to move into a different role. One part  
15· of that job was to hire -- you know, hire and manage  
16· some HR professionals that would be dedicated full  
17· time to workplace investigations.  
18· That's the part that that particular role  
19· did not exist previously, that part of my role;  
20· however, workplace investigations have been  
21· conducted by HR professionals for as long as I've  
22· worked at Oracle, and they still are today.  
23· BY MS. BREMER:  
24· . . . Q. Okay. I'd like to parse these two roles.  
25· So -- and when in 2014 did you start

**22**

1· working as an HR professional overseeing -- or  
2· working with the HR professionals that were  
3· dedicated full time to the HR investigations?  
4· . . . A. I started working on the -- that function,  
5· if you will, that area of work in, I want to say,  
6· September, it was probably the fall of 2014, and we  
7· hired -- we actually hired people March 1st of 2015,

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

8· the first hires that I made.

9· . . . Q. And for the workplace investigations that  
10· were done by HR professionals and have always been  
11· done at Oracle, what's the title of the people who  
12· conducted those -- those investigations?

13· MR. PARKER: Compound and vague as to time.

14· THE WITNESS: Are you asking -- so HR  
15· business partners, to be specific, sometimes also  
16· referred to as HR consultants at Oracle, and I  
17· specifically conduct investigations, have conducted  
18· investigations and still do.

19· BY MS. BREMER:

20· . . . Q. Okay. So investigations can either be  
21· conducted by the HR business partners and, since  
22· September of 2014, could also be conducted by your  
23· team?

24· MR. PARKER: Misstates the testimony.

25· THE WITNESS: It is -- it is true that

**23**

1· we -- since we hired -- I'll say since we created  
2· the team, my team, some are new hires to Oracle;  
3· some were internal transfers from the HR business  
4· partner community. Both groups do conduct -- have  
5· and do conduct investigations.

6· BY MS. BREMER:

7· . . . Q. Prior to September 2014, how many HR  
8· business partners did Oracle have who conducted  
9· investigations of complaints?

10· . . . A. I don't know.

11· . . . Q. Do you know approximately how many?

12· . . . A. Are you asking me specifically to a time  
13· frame or location?

14· . . . Q. I'm -- okay. Who would investigate  
15· complaints at Oracle's headquarters between January  
16· 1st, 2013 and September 2014?

17· . . . A. I don't know the exact number. I would  
18· be -- it would be hard for me to estimate that.

19· . . . Q. Okay. And when you began hiring -- or when  
20· Oracle began hiring HR professionals who were  
21· dedicated full time to HR -- to human resources  
22· investigations, how many people did it hire?

23· MR. PARKER: Vague as to time.

24· THE WITNESS: At what time?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

25

24

1· BY MS. BREMER:

2· . . . Q. I said when you began hiring.

3· . . . A. When I began hiring?

4· MR. PARKER: Vague as to time.

5· BY MS. BREMER:

6· . . . Q. When Oracle -- okay.

7· In September 2014, how many HR

8· professionals were dedicated full time to HR

9· investigations?

10· . . . A. None.

11· . . . Q. Okay. And then Oracle began hiring people,

12· right, for that role?

13· . . . A. Oracle -- I, as the manager of that group,

14· began to look at what resources would be required to

15· build the team --

16· . . . Q. Okay. And --

17· . . . A. -- in that -- at that time.

18· . . . Q. Okay. And you began hiring people in March

19· of 2015?

20· . . . A. Specifically, the first hires, there were

21· two external hires and two brand-new hires to Oracle

22· who started working for me in this capacity March

23· 1st of 2015.

**30:2-34:2**

2 Q. Do you or anyone on your team interface  
3 with Oracle's legal department regarding complaints?

4 MR. PARKER: So this is outside the scope  
5 of the 30(b)(6) topics. It's compound, and it's  
6 vague as to time.

7 MS. BREMER: I don't think it's outside the  
8 scope.

9 MR. PARKER: It definitely is. The scope  
10 is discrimination and in pay discrimination, and  
11 your question is not limited to that. It's using  
12 the term "complaints."

13 BY MS. BREMER:

14 Q. Okay. Does anyone on your team or you  
15 interface with Oracle's legal department regarding  
16 complaints of discrimination between 2013 and the  
17 present?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

18 A. Are you asking me specifically about the  
19 investigations part of my team?  
20 Q. Yes.  
21 A. Yes.  
22 Q. Okay. Who, in legal, do you interface with  
23 with respect to discrimination complaints?  
24 MR. PARKER: Vague as to time. And "you"  
25 is plural or singular in that sentence? Because the

**31**

1 prior one was -- used "you or your team."  
2 BY MS. BREMER:  
3 Q. Okay. When you said "yes," were you  
4 talking about you or your team interfacing with the  
5 legal department with respect to the discrimination  
6 complaints?  
7 A. Both.  
8 Q. Okay. So who, in legal, do you and your  
9 team interface with?  
10 MR. PARKER: Vague as to time.  
11 BY MS. BREMER:  
12 Q. Between -- I'm talking about the same time  
13 frame, 2013 through the present.  
14 A. Repeat your question. So who --  
15 Q. Is there a specific -- if you or your team  
16 are dealing with a complaint of discrimination, is  
17 there a particular person in the legal department  
18 who you're communicating with or more than one  
19 person?  
20 A. Are you asking me about a specific -- as it  
21 pertains to a specific location?  
22 Q. Headquarters.  
23 A. Okay. So it could be a variety of people.  
24 Yes. It could be more than one person. Yes.  
25 Q. Okay. Who are the people that you -- in

**32**

1 the legal department that you would discuss  
2 complaints of discrimination with if it pertains to  
3 headquarters?  
4 A. It would depend on the nature of a  
5 particular -- I can't answer in the abstract who we  
6 might speak to. It would depend on the nature of  
7 the allegations or claim.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

8 Q. Okay. If it's a complaint -- is there a  
9 particular person in the legal department who you  
10 would communicate with regarding a complaint of  
11 compensation discrimination at headquarters?

12 A. No.

13 Q. And what about gender discrimination?

14 A. No.

15 Q. Race discrimination?

16 A. No.

17 Q. Okay. So it's not one person, but who are  
18 the -- who are the people that you would communicate  
19 with regarding those types of claims, the three that  
20 I just mentioned?

21 A. I cannot answer, again, in the abstract  
22 about what we might do in a given case about those  
23 topics. It would depend on the nature of the claim  
24 or allegation.

25 MR. PARKER: I think she just wants the

**33**

1 names of the people who fall into that category.

2 MS. BREMER: Right.

3 MR. PARKER: Not who you would go to  
4 specifically.

5 THE WITNESS: Okay.

6 MR. PARKER: I think it's more of a general  
7 question, like --

8 THE WITNESS: Okay.

9 MR. PARKER: -- who could possibly be the  
10 person you walk in and say, "Listen, we have a  
11 complaint," or something like that. Is that  
12 accurate?

13 MS. BREMER: Yes.

14 THE WITNESS: Okay. As it pertains to  
15 workplace investigations or complaints by employees;  
16 is that correct?

17 MR. PARKER: Yes. That's her question.

18 MS. BREMER: Yes.

19 THE WITNESS: It could be -- we could talk  
20 with Emily Sullivan, we could speak with Jenny  
21 Cotner -- oh, forgive me, would you like me to spell  
22 the names? Emily, E-M-I-L-Y, Sullivan,  
23 S-U-L-L-I-V-A-N; Jenny, J-E-N-N-Y, Cotner,  
24 C-O-T-N-E-R; Matt, M-A-T-T, Feiner, F-E-I-N-E-R;

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

25 Sarah Wilson, Sarah with an H, and Wilson,

**34**

1 W-I-L-S-O-N; or Juana, J-U-A-N-A, Schurman,  
2 S-C-H-U-R-M-A-N.

**36:10-37-14**

10 Q. Yes.

11 How does Oracle inform employees at its  
12 headquarters about how to make a complaint?

13 A. All employees at headquarters are provided  
14 that information when they are hired and then during  
15 our annual training.

16 Q. And what is the annual training that you  
17 are referring to?

18 A. Global compliance training that we run  
19 annually.

20 Q. And is that a required training?

21 A. Yes.

22 Q. And who is required to attend the global  
23 compliance training annually?

24 A. Everyone.

25 Q. All the way to the very top executives?

**37**

1 A. That's correct.

2 Q. And what are the topics covered by the  
3 global compliance training?

4 A. Are you asking specific to a time frame?

5 Q. 2013 through the present, has it changed?

6 A. It can -- yes, it has changed. We -- so  
7 let me back up.

8 New employees, as well as acquired  
9 employees, take the training on all of the topics  
10 and so they're trained on how to file a complaint.

11 And then when we -- we train on a variety  
12 of those topics annually. It always includes  
13 information about how to file a complaint in  
14 multiple spots within the different training topics.

**39:3-11**

3 Q. Is Oracle's Integrity Helpline one method  
4 that employees can use to make complaints regarding  
5 discrimination?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

6 A. Yes.

7 Q. And if employees had concerns that their  
8 compensation -- concerns about compensation  
9 discrimination, they could call the Oracle's  
10 Integrity Helpline?

11 A. Yes, they could.

**40:24-41:7**

24 Q. Has Oracle given information to employees  
25 specifically providing them information of where to

**41**

1 make a complaint regarding discrimination?

2 A. Yes.

3 Q. Okay. And where would that be?

4 A. Employees at headquarters are trained when  
5 they're hired, as well as in our annual training, on  
6 the topic and where to file a complaint -- how and  
7 where they can file complaints.

**41:13-42:9**

13· MS. BREMER: I'm going to mark as  
14· Exhibit 95 a document entitled "Oracle Integrity  
15· Helpline," and it's Bates numbered  
16· ORACLE\_HQCA\_381138 through 41.  
17· (Whereupon, Exhibit 95 was marked for  
18· identification.)

19· BY MS. BREMER:

20· . . . Q. Have you seen this document before?

21· . . . A. Yes.

22· . . . Q. And what is it?

23· . . . A. It is a description of Oracle's Integrity  
24· Helpline.

25· . . . Q. And is this from Oracle's website?

**42**

1· . . . A. We do have a document like this on our  
2· website, yes.

3· . . . Q. What is EthicsPoint?

4· . . . A. EthicsPoint is a product that's from a  
5· company called NAVEX Global, so a third party to  
6· Oracle.

7· . . . Q. And how does Oracle -- does Oracle contract  
8· with EthicsPoint or NAVEX Global?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

9 · · · A. Yes.

**43:17-44:1**

17 Q. Okay. So if there's -- okay. Let me limit  
18 it again to discrimination complaints.  
19 What are the sources of your team's  
20 receiving information that there's been a complaint  
21 about discrimination at Oracle's headquarters?  
22 MR. PARKER: Vague and ambiguous.  
23 THE WITNESS: Can you repeat the question?  
24 MR. PARKER: I think she's asking, how do  
25 you get complaints? How do complaints come to your

**44**

1 attention, your team's attention?

**44:2-25**

2· THE WITNESS: How do complaints come to my  
3· team's attention?  
4· MR. PARKER: Correct. That's what she's  
5· asking.  
6· THE WITNESS: Is that the question you're  
7· asking?  
8· BY MS. BREMER:  
9· · · · Q. Yes.  
10· · · · A. Okay. If you're asking me how do  
11· complaints of discrimination come to my team's  
12· attention, we get them in a variety of ways.  
13· MR. PARKER: Now she wants you to list  
14· them.  
15· THE WITNESS: The ways include referral  
16· from complaints received by the Integrity Helpline;  
17· they could come to us from employees directly;  
18· managers; HR business partners; the legal  
19· department. Externally, we might get external  
20· notification of a complaint, third party.  
21· MR. PARKER: Ms. Bremer, when you get to a  
22 good breaking point, I'd appreciate taking a break.  
23 MS. BREMER: Okay. Why don't we go ahead  
24 and take a break.  
25 MR. PARKER: Okay. Great.

**45:8-21**

8 MR. PARKER: I think that Ms. Baxter --

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

9 there was a question she said she did not  
10 understand, and I think there's been clarity  
11 provided. She can answer. Respond.  
12 THE WITNESS: Specifically you were asking  
13 me about how do employees know that they could use  
14 the Integrity Helpline to file a complaint of  
15 discrimination. We do cover ways to make a  
16 complaint when we train on discrimination, including  
17 the Integrity Helpline.  
18 BY MS. BREMER:  
19 Q. And when do you train on discrimination?  
20 A. In our new employee training and then in  
21 our annual training program.

**46:1-7**

1 A. I wouldn't be able to recite what the  
2 training says specifically.  
3 Q. But just generally.  
4 A. The training covers our policies on  
5 discrimination, and it also includes how you file a  
6 complaint, and that would include complaints of  
7 discrimination.

**52:11-23**

11 Q. Okay. Off the top of your head, I guess,  
12 sitting here as the person who's in charge of the  
13 team that investigates complaints, can you think of  
14 any other method of employees making a complaint of  
15 discrimination that would go to your team?  
16 A. Let's see. I guess the only other way,  
17 there have been instances where -- that I can think  
18 someone sent a letter, you know, directly to  
19 somebody at Oracle -- could be anybody; sometimes  
20 it's a random person -- about a complaint of  
21 something, not necessarily discrimination. I can't  
22 recall that. But that's the only other thing I can  
23 think of is people could do that.

**54:5-55:9**

5 Q. How is a complaint from the Oracle  
6 Integrity Helpline communicated to your group who  
7 investigates complaints?  
8 A. If a report of discrimination comes to the  
9 Integrity Helpline, we would get a written document

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

10 email summarizing what the reporter provided.

11 Q. And do you get an actual transcript or

12 recording of the complaint?

13 A. No.

14 Q. Any other information that you would

15 receive with the email summary?

16 A. We get the email that states whatever the

17 person, you know, provided, whatever information

18 they provided, and it creates, you know, it creates

19 a case number for that case.

20 Q. And how is -- so is that complaint

21 transmitted to your group by email, you said?

22 A. It's transmitted to -- the complaints are

23 transmitted to my group, yes, sometimes via email.

24 But also, if it comes into the Integrity Helpline,

25 it may get transferred in the EthicsPoint system to

**55**

1 the, you know, HR. If it's HR-related, it's

2 transferred. The case gets moved over to our team.

3 Q. So does that -- you said it's transferred

4 in the EthicsPoint system. Does that mean that you

5 have some sort of -- that your team has access to

6 the EthicsPoint system?

7 A. Not to the system in its entirety, but we

8 do have an HR tier within the NAVEX -- within the

9 EthicsPoint case management system.

**56:11-59:18**

11 Q. When a call goes into Oracle's Integrity

12 Helpline, somebody at EthicsPoint takes some

13 information from the caller, right?

14 A. That is my understanding, yes.

15 Q. And do they then summarize that and put it

16 directly into this NAVEX or the EthicsPoint system

17 that you can -- that your team accesses?

18 MR. PARKER: Vague and ambiguous.

19 THE WITNESS: I don't know --

20 MS. BREMER: Okay.

21 THE WITNESS: -- what exactly they do.

22 BY MS. BREMER:

23 Q. Well, what -- when you say you or your team

24 is accessing this EthicsPoint system, what

25 information is available to your team on that? You

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

**57**

1 indicated that it started up -- there's a case file,  
2 for example; is that on there?

3 A. I didn't --

4 MR. PARKER: Misstates the testimony.

5 THE WITNESS: I didn't say that.

6 BY MS. BREMER:

7 Q. Okay. Well, can you explain what  
8 information is on that system?

9 MR. PARKER: Compound.

10 THE WITNESS: It will depend on the  
11 specific case, what information might get input into  
12 the system. But whatever information EthicsPoint  
13 puts in there, and then anything else that the  
14 investigator working on that case might include.

15 BY MS. BREMER:

16 Q. Okay. So how is it -- how is it organized?  
17 Is there -- I'm just trying to understand what the  
18 system is and what -- obviously, each case will be  
19 different in terms of the specifics about, you know,  
20 the complaint, et cetera, but what types of  
21 information or what categories of information are  
22 available on it?

23 A. It's a case management system. So we take  
24 in the information that the reporter provides, and  
25 we add information along the way in terms of other

**58**

1 parties involved, category of complaint. It  
2 would -- I wouldn't be able to recite for you  
3 verbatim what's in there.

4 Q. So it sounds like there's -- there's  
5 specific information about the complaint that came  
6 in, like a summary of the complaint? Is that  
7 correct?

8 A. No. Not necessarily. I wouldn't be able  
9 to say that there's always a summary or not a  
10 summary.

11 Q. Okay. If a complaint goes into  
12 EthicsPoint, do they -- they don't always put a  
13 summary into this case management system?

14 A. Who is "they"?

15 Q. EthicsPoint.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

16 A. I don't know what they always do or don't  
17 do.

18 Q. Okay. How -- so if a complaint of  
19 discrimination comes in through EthicsPoint, the  
20 information -- one of the ways it's conveyed to you,  
21 you indicated, was the information is placed on the  
22 case management system, correct?

23 A. That's not exactly what I said.

24 Q. Okay. Can you clarify then?

25 A. What I said was, if someone files a

**59**

1 complaint, any type of complaint, through the  
2 Integrity Helpline, and if it's HR-related, then we  
3 would have access to whatever information  
4 EthicsPoint collected.

5 The -- what do they call them? The call  
6 center intake specialist captures the inquiry or  
7 report asking to provide detailed information.  
8 Whatever they collect, we can see in the  
9 system.

10 Q. Okay. And that's in this case management  
11 system that you --

12 A. That's in the case management system called  
13 EthicsPoint.

14 Q. And then there's a place in the EthicsPoint  
15 system for the investigators to add information that  
16 they obtain during the investigation?

17 A. The investigators, yes, can add additional  
18 information into the case management system.

**60:5-13**

5 Q. Since 2015, has the EthicsPoint system been  
6 used for all investigations of discrimination that  
7 your team of investigators does concerning employees  
8 at Oracle's headquarters?

9 MR. PARKER: Vague and ambiguous.

10 THE WITNESS: Specifically, if my team is  
11 investigating an employee complaint, we use the  
12 NAVEX system, case management system, to track those  
13 complaints.

**64:3-17**

3 Q. So what -- is there certain information

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

4 about investigations that's required to be put into  
5 that system?  
6 A. No.  
7 MR. PARKER: She's asking about  
8 discrimination.  
9 THE WITNESS: Specifically about  
10 discrimination?  
11 MR. PARKER: Yeah.  
12 THE WITNESS: If I understand your question  
13 correctly, you're asking are there -- is there  
14 information that we require to be put in the case  
15 management system for -- no. I cannot make that  
16 statement about, that there's something that's  
17 required.

**67:25-68:4**

25 Q. Are you aware that a report -- is that true

**68**

1 that a report submitted through Oracle's Integrity  
2 Helpline is first reviewed by someone in Oracle's  
3 legal department?  
4 A. That is my understanding.

**72:19-74:5**

19 . . . Q. Since 2015, who else has investigated cases  
20 of discrimination involving Oracle's headquarters?  
21 . . . A. As far as I know, HR business partners.  
22 . . . Q. And can you describe the role of an HR  
23 business partner?  
24 MR. PARKER: Vague and ambiguous. Vague as  
25 to time. Outside the scope.

**73**

1 THE WITNESS: Oh, sorry. I keep scooting  
2 that way because I think I want to be more in front  
3 of you.  
4 I'm sorry, could you repeat the question?  
5 BY MS. BREMER:  
6 . . . Q. Could you describe the role of an HR  
7 business partner?  
8 MR. PARKER: Same objections.  
9 THE WITNESS: Today?  
10 BY MS. BREMER:

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

11· . . . Q. Since 2015 with respect to headquarters.  
12· MR. PARKER: Same objections.  
13· BY MS. BREMER:  
14· . . . Q. Just generally, what their role is.  
15· . . . A. Are you specifically -- HR business  
16· partners, so we're saying very high level, in  
17· general, they're just that, an HR business partner.  
18· They're providing support, HR-related support to  
19· employees in management, leadership, everything from  
20· operational HR to strategic HR.  
21· . . . Q. So if a manager in product development had  
22· an issue, an HR issue, they would go to their  
23· assigned HR business partner?  
24· . . . A. They certainly could, yes.  
25· . . . Q. And are HR business partners -- they're

**74**

1· assigned to specific groups, like product  
2· development?  
3· . . . A. Generally, yes. HR business partners are  
4· assigned to a group or groups. There may be a  
5· variety of functions or one function.

**74:10-19**

10· . . . Q. Okay. So they would -- if an HR business  
11· partner received a complaint of discrimination, they  
12· could handle that themselves?  
13· . . . A. If an HR business partner received a  
14· complaint of discrimination, could they handle it  
15· themselves?  
16· . . . Q. Yes.  
17· . . . A. Is that what you asked?  
18· . . . Q. Yes.  
19· . . . A. They could, yes.

**75:2-25**

2· . . . Q. Are -- is -- if an HR business partner  
3· conducts an investigation of discrimination, does --  
4· do you -- does your group receive notice of that?  
5· . . . A. Not necessarily.  
6· . . . Q. You don't necessarily receive information  
7· about that investigation or complaint at all?  
8· . . . A. Not necessarily, no.  
9· . . . Q. And is that just up to the discretion of

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

10· the HR business partners?

11· . . . A. Is what up to their discretion?

12· . . . Q. Whether they notify your group.

13· . . . A. I don't -- we don't have any such practice  
14· that they need to notify my group, so there isn't a  
15· matter of discretion there.

16· . . . Q. Okay. So there's no requirement that if an  
17· HR business partner receives a complaint of  
18· discrimination, that they should notify your group  
19· who's conducting HR investigations?

20· . . . A. No. They have no requirement to notify my  
21· team.

22· . . . Q. So your team is not necessarily aware of  
23· all discrimination complaints that are made by  
24· Oracle employees at Oracle's headquarters?

25· . . . A. Correct.

**76:1-12**

1· . . . Q. Okay. With respect to managers, if  
2· managers receive a complaint of discrimination, they  
3· can either talk to their HR business partner or come  
4· to your group who handles investigations?

5· . . . A. Managers can avail themselves of all of the  
6· methods of reporting concerns. They can report it  
7· to their HR business partner. They could -- they  
8· can do a lot of different things, but it's -- they  
9· could come to my team, I guess.

10· . . . Q. Okay. So might come to your team, but not  
11· necessarily?

12· . . . A. Not necessarily. No.

**86:4-88:23**

4 Q. And what about -- I'm just trying to find  
5 out all the sources -- all the ways you could get  
6 information about a complaint that your team would  
7 investigate. And I'm wondering if you receive  
8 information about exit interviews that then your  
9 team investigates.

10 A. I don't know about exit interviews, per se,  
11 but we have received complaints from employees as  
12 they depart the company, yes. Specifically whether,  
13 though, any of those were at HQ, I do not know.

14 Q. And if an employee makes a complaint as  
15 they depart, do you receive that from managers or HR

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

16 representatives or some other source?

17 A. It could come from any -- it could come

18 from a variety of sources. I don't know

19 specifically.

20 Q. What sources did it come from?

21 A. I don't know specifically.

22 Q. Okay. So if an HR representative receives

23 a complaint that they ask your team to investigate

24 as opposed to doing it themselves, do they load

25 information about it onto the case management system

**87**

1 or notify you by some other means?

2 A. We can be notified in a variety of ways.

3 Q. Okay. Do the HR representatives also have

4 access to the -- to the case management system, the

5 NAVEX case management system?

6 A. No, they do not.

7 Q. Okay.

8 A. Again, if you're asking me specifically as

9 it pertains to U.S. headquarters.

10 Q. Yes.

11 A. No.

12 Q. Okay. So they would notify you by a means

13 other than through the NAVEX system?

14 A. Yes. We do -- we have a mechan- -- we have

15 several ways that they can obviously tell us,

16 however they choose to: Call us, email us. But we

17 also have a reporting incident form that they can

18 fill out. Incident report form, I think it's

19 called.

20 Q. And is that a form that's on Oracle's

21 system or...?

22 A. It's a form, a Web form, that NAVEX created

23 for us so that HR business partners could submit

24 cases, and then it would notify us so they don't

25 have to use email or call.

**88**

1 It's another way that they can send us the

2 information about a case that they would like us to

3 handle.

4 Q. And where are those kept, the incident

5 report forms?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

6 A. Gosh, I don't know.

7 Q. Are those on Oracle's system?

8 A. I don't believe so. No.

9 Q. Is that part of the -- the EthicsPoint  
10 system?

11 A. Uh-huh, yes, it is.

12 Q. Okay. So when a complaint comes in that's  
13 been forwarded to your group, does that go -- do all  
14 of them go through you first?

15 A. No.

16 Q. Okay. How does -- how are investigations  
17 of discrimination complaints assigned to the  
18 investigators within your group?

19 A. Generally we make assignments based on  
20 workload.

21 Q. And who does that?

22 A. Sometimes I do; sometimes others on the  
23 team do it.

**88:24-90:8**

24 ··· Q. And who decides what investigation to  
25 · conduct regarding a complaint of discrimination?

**89**

1 ··· A. I'm sorry. I don't understand your  
2 · question.

3 ··· Q. So a complaint has been made. It's been --  
4 · it's at your team to investigate.

5 ··· A. Uh-huh.

6 ··· Q. What's the next step in the process?

7 ··· A. Oh, I see what you're saying.

8 · So if there's a -- if there's a complaint  
9 · to be investigated by my team or by an HR business  
10 · partner, including discrimination, those are all  
11 · done at the direction of counsel.

12 · So after we receive a complaint, we would  
13 · do an intake -- assuming it hadn't already been done  
14 · because the person didn't just call and tell you, so  
15 · there's an intake interview done with the  
16 · complainant or the reporter. Sometimes that's done  
17 · after legal has been made aware of this concern,  
18 · sometimes it's done before. It's done for the  
19 · purposes of getting legal advice to then conduct the  
20 · investigation.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

21· . . . Q. Okay. Is the intake interview done with  
22· legal -- with somebody from the legal department  
23· present?  
24· . . . A. No.  
25· . . . Q. And the intake interview with the

**90**

1· complainant is done sometimes before legal has been  
2· informed about the complaint?  
3· . . . A. Yes.  
4· . . . Q. And then once -- and one of the five  
5· investigators on your team or you may conduct the  
6· intake interview?  
7· . . . A. Could -- that is correct. But it could  
8· also be an HR business partner.

**91:4-19**

4 Q. So the process is that you conduct an  
5 intake interview, you or your team, and then talk to  
6 one of the attorneys that you mentioned previously  
7 about the complaint?  
8 MR. PARKER: Misstates the testimony.  
9 THE WITNESS: That's not exactly what I  
10 said.  
11 BY MS. BREMER:  
12 Q. Okay. Can you clarify, please?  
13 A. When a complaint is received, there is an  
14 intake interview done. That could occur after legal  
15 has been engaged or notified of the concern or  
16 before, depends on the individual case. But in all  
17 cases, all investigations that we conduct are based  
18 on the advice that we get from our employment legal  
19 team.

**92:25-93:6**

25 Q. Okay. If you're investigating a

**93**

1 discrimination complaint regarding somebody at  
2 headquarters, do you have a general practice as to  
3 how those investigations are conducted?  
4 MR. PARKER: Vague and ambiguous.  
5 Compound.  
6 THE WITNESS: We do not.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

95:7-97:9

7· · · · Q. In conducting a complaint of compensation  
8· discrimination, you talk to the complainant. Who  
9· else would you talk to to investigate a claim of  
10· compensation discrimination?

11· · · · A. That depends on the -- I'm sorry -- depends  
12· on the specific case. That would be done at the  
13· direction and advice of counsel.

14· · · · Q. Would you talk to the manager who set --  
15· who was involved in setting the pay of the  
16· individual claiming compensation discrimination?

17· MR. PARKER: Calls for attorney-client  
18· privilege.

19· BY MS. BREMER:

20· · · · Q. Go ahead. Are you refusing --

21· MR. PARKER: I am instructing not to  
22· answer.

23· You can answer that in the general sense.

24· THE WITNESS: Again, who we may speak to in  
25· any given investigation would be based on that case

96

1· and would be done at the advice and direction of  
2· counsel.

3· BY MS. BREMER:

4· · · · Q. Okay. I'm going to ask my question again.  
5· If you're not going to answer based on your -- the  
6· instruction of your counsel, you can tell me.

7· · · · A. Uh-huh.

8· · · · Q. But I'd like an answer.

9· Would you talk to the manager who was  
10· involved in setting the pay of an individual  
11· claiming compensation discrimination?

12· MR. PARKER: Just for the record, she's  
13· answered the question. If it gets more specific,  
14· she cannot answer the question. But she has  
15· answered the question.

16· THE WITNESS: Depends on the case.

17· BY MS. BREMER:

18· · · · Q. In a case involving an allegation of  
19· compensation discrimination, can you think of a case  
20· where your investigators have not talked to the

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

21· manager who's involved in setting an employee's pay?  
22· MR. PARKER: You can answer that yes or no  
23· if you know.  
24· THE WITNESS: Ask me the question again.  
25

**97**

1· BY MS. BREMER:  
2· . . . Q. In a case involving an allegation of  
3· compensation discrimination, can you think of a case  
4· where your investigators have not talked to the  
5· manager who's involved in setting an employee's pay?  
6· . . . A. I don't know.  
7· . . . Q. You don't know if you can think of one?  
8· . . . A. I can't think of one. Sorry. That is a  
9· better answer. I cannot think of one, no.

**101:23-117:7**

23· . . . Q. So we were talking about steps that might  
24· be taken during the investigation. When -- when an  
25· intake interview is taken, is that -- is information

**102**

1· about that intake interview posted to the NAVEX case  
2· management system?  
3· . . . A. I don't know.  
4· . . . Q. When your team does -- conducts an  
5· interview, an intake interview, is it posted to the  
6· NAVEX case management system?  
7· . . . A. I don't know.  
8· . . . Q. When you conduct an intake interview, do  
9· you post it to the NAVEX case management --  
10· . . . A. I do not.  
11· . . . Q. And what do you do with yours again?  
12· MR. PARKER: Asked and answered.  
13· THE WITNESS: As I said before, all the  
14· notes that I take during interviews of any type, I  
15· keep either on my laptop or in our Beehive folder.  
16· BY MS. BREMER:  
17· . . . Q. Okay. And if -- and that could be  
18· interviews that you take of the complainant or  
19· anybody else would be kept in the Beehive folder?  
20· . . . A. I can only speak for myself --  
21· . . . Q. Yes.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

22· . . . A. -- emphatically, that I keep all of my  
23· interview notes there, yes.  
24· . . . Q. Do you know if your other team members keep  
25· their interview notes on the Beehive?

**103**

1· . . . A. I can tell you there are other files there  
2· other than mine, yes.  
3· . . . Q. And do some of your investigators keep  
4· information about interviews they've taken on the  
5· NAVEX case management system?  
6· MR. PARKER: Asked and answered.  
7· THE WITNESS: I don't know.  
8· BY MS. BREMER:  
9· . . . Q. If you gather other information during an  
10· investigation, do you also keep it in your Beehive  
11· folder?  
12· . . . A. Yes, I do.  
13· . . . Q. Are there -- are you aware of any  
14· guidelines Oracle has on how to conduct  
15· investigations?  
16· MR. PARKER: Vague and ambiguous.  
17· THE WITNESS: What type of investigations  
18· are you referring to?  
19· BY MS. BREMER:  
20· . . . Q. Investigations -- HR investigations of  
21· complaints.  
22· . . . A. HR investigations of compliance?  
23· . . . Q. Complaints.  
24· . . . A. Oh, I'm sorry. I thought you said  
25· "compliance." Pardon me.

**104**

1· No.  
2· MS. BREMER: Are we on Exhibit 96?  
3· MR. PARKER: Yes.  
4· THE REPORTER: Yes.  
5· MS. BREMER: I'd like to mark as Exhibit 96  
6· a document entitled "Mechanics of an Investigation"  
7· by Emily Sullivan, Neil Perry, and Timi Baxter.  
8· (Whereupon, Exhibit 96 was marked for  
9· identification.)  
10· BY MS. BREMER:  
11· . . . Q. Do you recognize this document?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

12· . . . A. Yes, I do.

13· . . . Q. Okay. What is it?

14· . . . A. This is a presentation from 2015 from our  
15· HR investigations training with HR business  
16· partners.

17· . . . Q. So is this a training that you, Emily  
18· Sullivan, and Neil Perry gave to the HR business  
19· partners?

20· . . . A. It is a training that Emily, Neil, and I --  
21· we definitely created this PowerPoint because our  
22· names are on it, but I don't recall who exactly  
23· conducted this particular section in this particular  
24· year.

25· . . . Q. And --

**105**

1· . . . A. Sorry. I should put this in airplane mode.

2· . . . Q. Who is Emily Sullivan?

3· . . . A. I mentioned Emily Sullivan's name earlier.  
4· She's one of our employment attorneys.

5· . . . Q. And who is Neil Perry?

6· . . . A. Neil Perry was an employment attorney at  
7· Oracle. He's since left the company.

8· . . . Q. Okay. If you look at the second page,  
9· there's a copyright of 2013 at the bottom of the  
10· page?

11· . . . A. Yes.

12· . . . Q. Was this PowerPoint created in 2013?

13· . . . A. I don't know.

14· . . . Q. Did your investigators participate in this  
15· training on mechanics of an HR investigation?

16· . . . A. I don't recall.

17· Let me clarify. Maybe I misunderstood your  
18· . . . Question.

19· Were you asking me if they were there or if  
20· they presented? You used the word "participate," so  
21· I'm not -- I should have clarified, what do you mean  
22· by that?

23· . . . Q. Did they -- I guess, were they there?

24· . . . A. They were absolutely there.

25· . . . Q. Okay. In what role?

**106**

1· . . . A. I don't recall specifically for 2015 what

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

2· all their roles were, but they're always there.  
3· . . . Q. Okay. If you -- and does this -- does this  
4· document accurately reflect the steps taken during  
5· an HR investigation --  
6· . . . A. No.  
7· . . . Q. -- generally?  
8· No? How is it not accurate?  
9· . . . A. As I've said before, and it says clearly on  
10· page 3, that this document is intended for  
11· discussion purposes only and every case is -- every  
12· investigation is different. So this is not intended  
13· as a general anything.  
14· . . . Q. This was provided as training to the HR  
15· business partners?  
16· . . . A. That is correct.  
17· . . . Q. Okay. And how many times was this training  
18· on the mechanics of an HR investigation presented to  
19· the HR business partners --  
20· . . . A. I don't know.  
21· . . . Q. -- at headquarters?  
22· . . . A. At headquarters? I don't know.  
23· . . . Q. Okay. So this is one -- there's a date,  
24· August 5th and 6th, 2015. Are you aware that this  
25· was presented at any other time?

**107**

1· . . . A. Yes.  
2· . . . Q. Okay. When was that?  
3· . . . A. I don't recall all of the dates off the top  
4· of my head, but we generally run this training -- or  
5· investigations training -- I don't know if it's  
6· specifically this PowerPoint presentation is still  
7· included -- once or twice a year.  
8· . . . Q. And is it always for the HR business  
9· partners?  
10· . . . A. Yes.  
11· . . . Q. Are they required to attend?  
12· . . . A. Are they -- every time we run it? I'm not  
13· sure I understand your question.  
14· . . . Q. Are they ever required to attend it? Are  
15· they --  
16· . . . A. They could be, yes.  
17· . . . Q. What are the requirements for HR business  
18· partners attending the mechanics of an HR

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

19.. investigation?

20. . . . A. It varies.

21. . . . Q. Do you know how frequently they're required  
22.. to attend the training?

23. . . . A. No. I do not.

24. . . . Q. Are they required to attend it at least  
25.. once?

**108**

1. . . . A. No. Not necessarily.

2. . . . Q. Do you know?

3. . . . A. We have a lot of HR business partners at  
4.. Oracle and lot of them in the U.S., so -- but the  
5.. answer to that question is hard to give in a general  
6.. sense.

7. . . . Q. But the training's provided one to two  
8.. times a year. And who attends -- who attends these  
9.. trainings?

10. . . . A. HR business partners, my team, and the  
11.. lawyers. Somebody from our employment legal  
12.. department will be in attendance.

13. . . . Q. If you look at page 6 --

14. . . . A. Page 6. Yes.

15. . . . Q. -- the training instructs people conducting  
16.. investigation to "Take notes during all interviews."  
17.. Do you see that?

18. . . . A. Yes, I do.

19. . . . Q. We've talked about some places where notes  
20.. are kept. Where are the HR business partners' notes  
21.. of interviews kept?

22. . . . A. I have no idea.

23. . . . Q. Are any of -- is any information from  
24.. investigations conducted by HR business partners  
25.. posted on the NAVEX case management system?

**109**

1.. MR. PARKER: Asked and answered.

2.. THE WITNESS: I don't know.

3.. BY MS. BREMER:

4. . . . Q. When HR business partners conduct  
5.. investigations, do they also meet with or talk to  
6.. attorneys in the legal department about the  
7.. investigation?

8. . . . A. I've answered this question a couple of

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

9· times. I'm happy to say it once more if you'd like.  
10· . . . Q. I don't think we've talked specifically  
11· about the HR business partners, but go ahead.  
12· . . . A. Every time I've answered a question about  
13· what my team does, I've also been specific in adding  
14· "or HR business partners" because both groups  
15· conduct investigations. Always have and still do.  
16· So whether it's my team or it's an HR  
17· business partner, we conduct an intake, either  
18· before or after having spoken to legal, and then the  
19· entirety of the rest of the process is done at the  
20· direction of our legal counsel. Whether it's my  
21· investigators or an HR business partner conducting  
22· that investigation.  
23· . . . Q. So -- and at the bottom of this page, it  
24· says, "Prepare disciplinary notices and/or closing  
25· memorandums as applicable and communicate to Legal."

**110**

1· Are closing memorandums prepared for all  
2· investigations of complaints of discrimination?  
3· . . . A. I don't know.  
4· . . . Q. Does your team prepare closing memoranda  
5· for all investigations of discrimination?  
6· . . . A. Every case is different, and what we do in  
7· any given case depends on the nature of that case.  
8· . . . Q. Are you -- can you think of any cases where  
9· you or your team investigated complaints of  
10· discrimination where there was not a closing  
11· memorandum?  
12· MR. PARKER: You can answer that yes or no.  
13· THE WITNESS: No. I cannot think of one.  
14· BY MS. BREMER:  
15· . . . Q. If you turn to the next page.  
16· . . . A. Page 7?  
17· . . . Q. Yes.  
18· . . . A. Okay.  
19· . . . Q. The investigation guidelines, continued,  
20· it's -- the first bullet point says, "Communicate  
21· findings to the complaining individual."  
22· Are results of investigations of  
23· discrimination communicated to anyone else?  
24· . . . A. That would depend on the nature of any  
25· given investigation.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

**111**

1· . . . Q. Okay. What about specifically claims of  
2· compensation discrimination?

3· . . . A. What we do in any investigation depends  
4· specifically on that case.

5· . . . Q. The second bullet point says, “Individually  
6· or with management (depending on the matter)  
7· communicate results of the investigation to the  
8· accused individual.”

9· If someone specifically has been accused of  
10· compensation discrimination, would you convey that  
11· to that person?

12· . . . A. I don’t know.

13· . . . Q. If a manager has been accused of  
14· compensation discrimination, are you aware of any  
15· investigation that was conducted that did not convey  
16· the result -- or let me ask that again.

17· . . . A. Yeah, you kind of lost me there.

18· . . . Q. Where your team conducts an investigation  
19· of compensation discrimination and determines  
20· whether or not there has been compensation  
21· discrimination, can you think of a situation where  
22· you have not conveyed the findings to a person  
23· that’s been accused of compensation discrimination?

24· . . . A. Off the top of my head, no.

25· . . . Q. The next bullet point says you “Work with

**112**

1· LOB” -- does that mean “line of business”?

2· . . . A. I would assume it does, yes.

3· . . . Q. -- “management to implement actions  
4· resulting from the investigation.”

5· Can you list for me the types of actions  
6· that have resulted from investigations of  
7· compensation discrimination?

8· MR. PARKER: Instruct not to answer.

9· Attorney-client privilege.

10· THE WITNESS: I can’t answer that question.

11· BY MS. BREMER:

12· . . . Q. You can’t answer because of your attorney  
13· instructing you not to answer?

14· . . . A. I can’t answer because whatever we do in  
15· any given investigation is at the direction of

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

16· counsel.  
17· . . . Q. And so you're not answering for that  
18· reason?  
19· . . . A. I just answered.  
20· . . . Q. Well, that's not an answer to my question,  
21· but --  
22· MR. PARKER: That is the reason she's not  
23· answering.  
24· BY MS. BREMER:  
25· . . . Q. Okay. I just want -- when you say things

**113**

1· were done at the instruction of or at the direction  
2· of counsel, you're saying you're not going to answer  
3· further because you're claiming attorney-client  
4· privilege; is that right?  
5· MR. PARKER: She is not. I am. And I'm  
6· instructing her not to answer.  
7· And you'll follow my instructions, correct?  
8· THE WITNESS: That's correct.  
9· MR. PARKER: All right. Now we're clear.  
10· BY MS. BREMER:  
11· . . . Q. Have you conducted any other training on  
12· how to conduct investigations of complaints?  
13· . . . A. Are you asking if I personally have  
14· conducted training on --  
15· . . . Q. Why don't I ask, does Oracle provide any  
16· other training on how to conduct investigations of  
17· complaints?  
18· . . . A. I don't know.  
19· . . . Q. Have you conducted any training on how to  
20· conduct investigations of complaints?  
21· . . . A. The training -- the only training that I  
22· conduct is the training that we've already  
23· discussed.  
24· MR. PARKER: May I ask a question, just so  
25· we're clear on something?

**114**

1· THE WITNESS: Sure.  
2· MR. PARKER: She asked you, do you know of  
3· any other training at Oracle, and you're thinking  
4· globally, aren't you? That's why you're saying I  
5· don't know.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

6· THE WITNESS: She said training on  
7· investigations. I have no idea.  
8· MR. PARKER: Okay. Very good. Would it be  
9· different if she limited it to HQCA?  
10· THE WITNESS: If she limited it to HQCA and  
11· specifically to workplace investigations.  
12· BY MS. BREMER:  
13· . . . Q. Okay. And --  
14· . . . A. Is that what you are asking?  
15· MR. PARKER: She will now.  
16· MS. BREMER: Yes.  
17· THE WITNESS: Okay. Go ahead, I'm sorry.  
18· BY MS. BREMER:  
19· . . . Q. Are you aware of any training that Oracle  
20· conducts at its headquarters regarding workplace  
21· investigations?  
22· . . . A. I am not. Other than what we've already  
23· discussed.  
24· . . . Q. Which was Exhibit 95?  
25· . . . A. 96.

**115**

1· . . . Q. 96, okay.  
2· MR. PARKER: I'm sorry. That misstates the  
3· testimony. It's not just Exhibit 96.  
4· THE WITNESS: Right, right. I was going to  
5· say, this is part of it. Or was in 2015, at least.  
6· Allegedly.  
7· BY MS. BREMER:  
8· . . . Q. This is part of a larger training?  
9· . . . A. This is a document from the training from  
10· 2015. I don't recall specifically what else, if  
11· anything, was in the training in 2015.  
12· . . . Q. Okay.  
13· . . . A. But I don't feel comfortable saying this  
14· was the training. Does that make sense?  
15· . . . Q. So it may have been part of a larger  
16· training?  
17· . . . A. There could have been other presentations  
18· or information provided during that training, yes.  
19· . . . Q. Are you aware of any training on Oracle's  
20· Equal Employment Opportunity obligations?  
21· . . . A. For -- with regard to investigations or HR  
22· business partners? Could you be more specific?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

23· . . . Q. Either. Does your -- I guess, does your  
24· group receive any training on Oracle's Equal  
25· Employment Opportunity obligations?

**116**

1· . . . A. Well, all employees at Oracle are trained  
2· on harassment and discrimination; is that what  
3· you're asking?

4· . . . Q. And does the training that all employees  
5· receive on harassment and discrimination include  
6· information specifically about compensation  
7· discrimination?

8· . . . A. Off the top of my head, I don't know.

9· . . . Q. And are you aware of any other training on  
10· Oracle's Equal Employment Opportunity obligations  
11· other than the training that all employees receive  
12· on harassment and discrimination?

13· . . . A. Ask me the question again. Am I aware --

14· . . . Q. Of any other training on Oracle's Equal  
15· Employment Opportunity obligations other than the  
16· training that all employees receive on harassment  
17· and discrimination?

18· . . . A. Not that I could name, no.

19· . . . Q. Are you aware of any training on Oracle's  
20· affirmative action obligations?

21· . . . A. There is an affirmative action training  
22· course, yes.

23· . . . Q. And who attends that?

24· . . . A. My understanding is it's U.S. -- all of the  
25· U.S. employees. It's a U.S.-centered law or

**117**

1· requirement, so I think it's just the U.S.

2· . . . Q. And who conducts that training?

3· . . . A. It's virtual training.

4· . . . Q. And does that -- does the affirmative  
5· action training provide specific information about  
6· compensation?

7· . . . A. I don't recall.

**122:15-123:13**

15· MR. PARKER: Now you want to do the  
16· clarification?

17· MS. BREMER: Oh, yeah. Go ahead.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

18· MR. PARKER: All right.  
19· THE WITNESS: So you were asking me --  
20· MR. PARKER: This is Exhibit 96.  
21· THE WITNESS: -- about Exhibit 96, and on  
22· page 7, about where we would communicate the results  
23· of the investigation to accused individual.  
24· BY MS. BREMER:  
25· . . . Q. Okay.

**123**

1· . . . A. And my clarification is I think I said I  
2· don't know because I'm thinking in, again, the  
3· universe of all cases, might there be a case that  
4· that wouldn't happen. Sure, that's a possibility.  
5· But if you're asking me generally would we  
6· communicate to the accused? Yes, we would.  
7· . . . Q. And that's in cases involving compensation  
8· discrimination?  
9· . . . A. That's -- I'm talking about all cases.  
10· . . . Q. Oh, all cases?  
11· . . . A. Any case. Any complaint. Yeah.  
12· . . . Q. So including cases of discrimination?  
13· . . . A. Yes. Including cases of discrimination.

**123:14-20**

14 Q. You've described some of the materials that  
15 are collected during an investigation, some of the  
16 steps that you've done and your team members.  
17 Who reviews the materials that are  
18 collected during an investigation?  
19 A. The investigator, the attorney they're  
20 working with.

**124:15-126:12**

15 Q. Okay. I guess I'm just wondering if there  
16 are any circumstances where your group has authority  
17 to take action at the end of the investigation  
18 without involving the legal department?  
19 A. What do you mean by "action"?  
20 Q. Or not action. Nonaction. For example, if  
21 the decision is not to take remedial action, would  
22 you have to talk to the legal department before  
23 making that determination?  
24 A. That --

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

25 MR. PARKER: Vague and ambiguous.

**125**

1 THE WITNESS: I'm not sure how to answer  
2 that question. That's very abstract.

3 BY MS. BREMER:

4 Q. Are there any cases where you or your team  
5 has conducted an investigation of compensation  
6 discrimination and -- well, let me first ask this  
7 question: When you -- after you gather all the  
8 information, conduct an investigation of  
9 compensation discrimination, you've said that you  
10 generally talk to legal.

11 Do you -- what -- do you make a preliminary  
12 decision or decision or recommendation? What is the  
13 last thing that you do before talking to legal?

14 A. That depends on the case.

15 MR. PARKER: It's compound.

16 BY MS. BREMER:

17 Q. Is your group -- does your group have the  
18 authority to make any decisions on its own, for  
19 example, not to make an adjustment of pay, without  
20 talking to legal first?

21 MR. PARKER: Asked and answered.

22 THE WITNESS: I don't think I can answer  
23 that question. I'm not sure what you're asking me.

24 MR. PARKER: Let me just try to --

25 THE WITNESS: You think we already answered

**126**

1 it?

2 MR. PARKER: I do. Once you finish an  
3 investigation --

4 THE WITNESS: Uh-huh.

5 MR. PARKER: -- do you go to legal with the  
6 results and legal decides what steps should be  
7 taken? Or do you independently, in your group, make  
8 the decision as to what steps should be taken as a  
9 result of the investigation?

10 THE WITNESS: We don't make independent  
11 decisions about what -- generally speaking, we would  
12 not. We would do it in conjunction with legal.

**128:12-21**

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

12 Q. Okay. So looking back at Exhibit 96, where  
13 it says that during investigations or after  
14 investigations the results are communicated to the  
15 complaining individual, what -- or how are the  
16 findings of the investigation communicated to the  
17 complaining individual?

18 A. Again, there's no cookie-cutter answer to  
19 that. It would depend on the case and the  
20 investigator and the lawyer working on that case how  
21 it would be communicated.

**129:17-139:8**

17· MS. BREMER: Okay. I'd like to mark as  
18· Exhibit 97 a document entitled "HR Investigations  
19· Training Handout." It's Bates marked  
20· ORACLE\_HQCA\_381081 through 97.

21· THE WITNESS: So while she's marking that,  
22· there was one clarification --

23· THE VIDEOGRAPHER: You have to hold on so  
24· she can mark it.

25· THE WITNESS: Oh, sorry.

**130**

1· (Whereupon, Exhibit 97 was marked for  
2· identification.)

3· (Discussion off the record.)

4· THE WITNESS: I wanted to clarify a  
5· question you asked me earlier, and my answer to a  
6· question you asked me earlier. So you were -- we  
7· were talking about -- you asked me, I believe,  
8· something along the lines of where do I -- where do  
9· we put the interview notes or the information we  
10· gather in the investigation and I said I don't know.  
11· So I talked to you about what I do  
12· specifically.

13· BY MS. BREMER:

14· . . . Q. Okay. Right.

15· . . . A. So what I'd like to add to that answer is,  
16· as a general rule, HR business partners and the  
17· people who work on my team are supposed to put their  
18· investigation files in a particular place, the  
19· Beehive folder, as we talked about earlier.  
20· I can't, however, 100 percent guarantee  
21· that that always happens, but that is our general

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

22· practice.

23· . . . Q. Okay. Thank you.

24· . . . A. You're very welcome.

25· . . . Q. And a couple times you've mentioned HR

**131**

1· business partners and things, you know,

2· investigations that they do. Do they conduct the

3· investigations themselves, or do they have staff who

4· either conduct those investigations or help them

5· with investigations?

6· . . . A. You would -- as far as I know, if you're an

7· HR business partner, you would conduct an

8· investigation yourself and with your legal partner.

9· . . . Q. Okay. Go ahead and take a look at

10· Exhibit 97.

11· . . . A. Okay.

12· . . . Q. Are you familiar with this document?

13· . . . A. Yes.

14· . . . Q. What is it?

15· . . . A. This document, we create -- my team created

16· this document, my investigators, as a handout that

17· we use in our investigations training for HR

18· business partners.

19· . . . Q. And so that was a training to -- that

20· accompanied Exhibit 96 that we discussed earlier?

21· . . . A. Not necessarily.

22· . . . Q. Okay. What training are you talking about

23· then?

24· . . . A. It's the same training in that it is

25· workplace investigations training for HR business

**132**

1· partners, but this is from 2015, the mechanics of an

2· investigation presentation. This is a relatively

3· new document. I think we created this one last

4· year, maybe, 2018.

5· . . . Q. So --

6· . . . A. Not exactly sure when, after this.

7· . . . Q. Okay. So you're using a lot of "this" and

8· "that."

9· . . . A. Oh, sorry. Yeah. I'm pointing.

10· . . . Q. So when you say "this was created in 2015,"

11· you're referring to the Mechanics of an HR

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

12· Investigation, Exhibit 96?

13· . . . A. Exhibit 96, right, was created in 2015.

14· . . . Q. Okay.

15· . . . A. Exhibit 97 is much newer than that.

16· . . . Q. Okay. And when did you say that Exhibit 97

17· was created?

18· . . . A. Off the top of my head, my best estimate is

19· sometime in 2018.

20· . . . Q. Okay. And again, this was training then

21· for the HR business partners who conduct

22· investigations?

23· . . . A. It's for HR business partners, correct.

24· . . . Q. Okay. And so looking at Roman -- and is

25· this -- is Exhibit 97 a true and correct copy of the

**133**

1· HR investigations training handout that your group

2· prepared?

3· . . . A. As far as I know, yeah. It looks like our

4· document.

5· . . . Q. Okay. So looking at subheading A, it says

6· "Planning." So your group was advising the HR

7· business partners to create a plan and plan their

8· investigation after they receive a complaint?

9· . . . A. This particular handout is for our

10· particular training and is, like, used by the folks

11· in the training as we walk through a mock

12· investigation.

13· . . . Q. Okay. And what's the mock investigation?

14· . . . A. It's just made-up facts.

15· . . . Q. Right. What's the subject matter?

16· . . . A. Oh, gosh. It -- I don't even remember. I

17· don't remember exactly. Maybe it's in here

18· somewhere.

19· I don't -- it's a mock investigation we use

20· just to demonstrate different aspects that could

21· potentially come up in an investigation.

22· . . . Q. Okay. And the first step in an

23· investigation would be planning the investigation;

24· is that right?

25· . . . A. Not necessarily.

**134**

1· . . . Q. No? What other first steps would there be?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

2· . . . A. It depends on the nature of the case.

3· . . . Q. Have you -- has your group ever provided  
4· the training to the HR business partners regarding  
5· how to conduct a -- an investigation regarding  
6· compensation discrimination?

7· . . . A. We conduct training about how to -- about  
8· HR investigations in general. Are you asking if the  
9· training includes something specific about  
10· discrimination?

11· . . . Q. Yes.

12· . . . A. I would say yes, because we do talk  
13· about --

14· MR. PARKER: She's asking about  
15· compensation discrimination.

16· THE WITNESS: Oh, specifically?

17· BY MS. BREMER:

18· . . . Q. Yes.

19· . . . A. I think -- I'm doing this off the top of my  
20· head, but I think we're probably more generic than  
21· that, talk about discrimination, harassment, various  
22· types of complaints you might receive.

23· . . . Q. In the exercise that you conducted with  
24· this HR investigations training handout, was that  
25· intended to be an example of how -- how an

**135**

1· investigation would be conducted?

2· . . . A. No.

3· . . . Q. What was the intent of this?

4· . . . A. The intent of this training that we conduct  
5· on a regular basis is to help ensure that our HR  
6· business partners have an opportunity to discuss  
7· what they might do in investigations and hone their  
8· skills and practice. Practice interviewing skills,  
9· practice tips of things to remember that are  
10· important. Things like that.

11· It's just -- it's not -- we're not training  
12· anyone on a process.

13· . . . Q. Okay. So you're providing practice and  
14· tips.

15· Did you provide any practice to the HR  
16· business partners regarding compensation  
17· discrimination complaints?

18· . . . A. Not the -- not that I can definitely

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

19· recall.

20· . . . Q. Have you -- during the trainings of HR  
21· business partners for investigations, have you  
22· provided them with any tips on what to do when  
23· they're investigating a claim of compensation  
24· discrimination?  
25· . . . A. The tips that we provide, in my

**136**

1· recollection, without looking at the materials, are  
2· more general in nature. Not about any specific  
3· category of claim.  
4· . . . Q. If you look at page 3 of the HR  
5· investigations training handout, under the  
6· discussion of planning of the investigation, it  
7· says, "Now think about what documents you will need  
8· to gather and review. Consider: demographic  
9· information, electronic communications, building  
10· access reports, expense reports, calendar  
11· information, personnel file, other reports, photos,  
12· et cetera."  
13· Have you -- has there been any discussion  
14· in training with the HR business associates or  
15· partners about what types of documents you'd need to  
16· gather when investigating a compensation claim?  
17· . . . A. No.  
18· . . . Q. At the bottom of the page, it says, "It is  
19· generally a good practice to confer with Employment  
20· Legal before you begin your investigation. Be  
21· prepared to outline the allegations and discuss your  
22· intended approach to gather information."  
23· So is the practice of the HR business  
24· associates to come up with an intended approach  
25· which they provide to legal?

**137**

1· . . . A. It depends on the case that they are  
2· dealing with.  
3· . . . Q. And this is -- this is advice that your --  
4· you and your team was providing to the HR business  
5· partners, correct?  
6· MR. PARKER: Misstates the testimony.  
7· THE WITNESS: Can you repeat your question?  
8· BY MS. BREMER:

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

9· . . . Q. This is -- Exhibit 97 contains advice that  
10· you and your team was providing to the HR business  
11· partners?  
12· MR. PARKER: Same objection. Vague and  
13· ambiguous.  
14· THE WITNESS: The training is done in  
15· conjunction with our legal department. So the legal  
16· department as well as my team was working with the  
17· HR business partners.  
18· BY MS. BREMER:  
19· . . . Q. In providing advice and tips about how to  
20· conduct an investigation?  
21· . . . A. I would put it a slightly different way,  
22· which is, we talk more in terms of things to  
23· remember, things that we might, you know, need to  
24· think about.  
25· So if -- I know nomenclature can be a

**138**

1· little rough, so that's how I think about it.  
2· . . . Q. So it was advice and information about  
3· things to remember --  
4· . . . A. We don't give advice, you know, because  
5· advice, I think, then goes to, are we lawyers? No,  
6· we're not giving legal advice to anyone. We're not  
7· lawyers. Even Michelle, on my team, who is a  
8· lawyer, does not act as a lawyer on behalf of  
9· Oracle. She acts as an investigator.  
10· . . . Q. Right.  
11· . . . A. So any advice is coming from our legal  
12· department about how you're going to conduct an  
13· investigation.  
14· . . . Q. So this was more guidance as to good  
15· practices?  
16· MR. PARKER: Misstates the testimony.  
17· Asked and answered.  
18· THE WITNESS: Yeah. It's training that we  
19· give. We call it "training" that we give to HR  
20· business partners on HR investigations.  
21· BY MS. BREMER:  
22· . . . Q. And if you look at the next page, it says,  
23· "Below are some helpful tips on how to approach an  
24· HR investigation."  
25· Do you see that?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

**139**

- 1· . . . A. Yes.  
2· . . . Q. Okay. So there's -- and it provides tips  
3· on conducting interviews, correct?  
4· . . . A. Correct.  
5· . . . Q. Has your team provided tips on how to  
6· analyze compensation in a compensation  
7· discrimination investigation?  
8· . . . A. No.

**139:20-140:10**

- 20· . . . Q. So we've been talking about what training  
21· the HR investigators, your group, provides to the HR  
22· business partners about conducting investigations.  
23· Now I'm wondering what training your group  
24· has received and your HR investigators about  
25· investigations.

**140**

- 1· . . . A. About investigations in general?  
2· . . . Q. Specifically compensation discrimination  
3· investigations.  
4· . . . A. So I would say all of my investigators have  
5· been doing investigations for a very long time.  
6· Some of them have been through formal investigations  
7· training, as have I.  
8· But I don't know of any training specific  
9· about how to -- I'm not -- about  
10· compensation-related cases specifically.

**140:11-143:16**

- 11· . . . Q. What formal investigations training have  
12· you been through?  
13· . . . A. I attended a week-long certificate course  
14· from the Association of Workplace Investigators.  
15· . . . Q. And who --  
16· . . . A. I've attended our investigations training  
17· every year multiple times a year since 2014. The  
18· one that we run.  
19· . . . Q. Right. The one that we were --  
20· . . . A. Just talking about. Uh-huh.  
21· . . . Q. -- just discussing. Right.  
22· Okay. The Association of Workplace

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

23· Investigations --  
24· . . . A. Investigators.  
25· . . . Q. 'tors. Have you -- when did you attend the

**141**

1· one-week-long training by the Association of  
2· Workplace Investigators?  
3· . . . A. That was earlier this year. I want to say  
4· February of 2019.  
5· . . . Q. And have you attended other formal  
6· trainings before February of 2019?  
7· MR. PARKER: Asked and answered.  
8· THE WITNESS: Specific --  
9· MR. PARKER: Vague and ambiguous.  
10· BY MS. BREMER:  
11· . . . Q. Regarding workplace investigations.  
12· MR. PARKER: Same objections.  
13· THE WITNESS: I attend the training that we  
14· run at Oracle. Every time we run it, I'm in  
15· attendance.  
16· BY MS. BREMER:  
17· . . . Q. Right.  
18· . . . A. Other than that, I don't recall if I've  
19· attended other trainings specifically about  
20· investigations.  
21· . . . Q. Okay. So the one formal training regarding  
22· investigations that you attended outside of Oracle  
23· was in February of 2019?  
24· . . . A. That's correct.  
25· . . . Q. Okay. At that training in February of

**142**

1· 2019, was there a discussion about conducting  
2· investigations of compensation discrimination?  
3· . . . A. No.  
4· . . . Q. And what about discrimination in general?  
5· . . . A. I'm sure they mentioned discrimination at  
6· some point, but the context of investigations is not  
7· really the focus of that training.  
8· So it's not just for HR professionals.  
9· There's also private investigators and lawyers  
10· there, so sort of HR-centric, but they don't talk a  
11· lot about, you know, what is discrimination and  
12· harassment. They're not talking about that.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

13· It's more about the process that you might  
14· follow to investigate and what are some tips and  
15· things to remember, interviewing skills, how to do  
16· good interviews. Things like that.  
17· . . . Q. And what about gathering information or  
18· conducting analyses of compensation? Did --  
19· . . . A. No.  
20· MR. PARKER: If you don't mind, just give  
21· me a chance because I was going to say compound, but  
22· you've answered the question.  
23· THE WITNESS: Oh, sorry. Sorry. I didn't  
24· even listen to her whole question. I may have cut  
25· you off.

**143**

1· BY MS. BREMER:  
2· . . . Q. Well, let me ask again then.  
3· . . . A. Sure.  
4· . . . Q. Did the training that you received from the  
5· Association of Workplace Investigators include any  
6· training on analyzing compensation?  
7· MR. PARKER: You can go ahead and answer  
8· that question.  
9· Let me just, just for form's sake, vague  
10· and ambiguous.  
11· Have at it.  
12· THE WITNESS: No. Not that I recall.  
13· BY MS. BREMER:  
14· . . . Q. Was -- have you attended any training on  
15· conducting statistical analyses of compensation?  
16· . . . A. No.

**143:17-144:4**

17· . . . Q. Have you ever conducted statistical  
18· analyses of compensation as part of your  
19· investigation of discrimination complaints?  
20· . . . A. I can't answer what I may or may not have  
21· done in any given investigation because that would  
22· be --  
23· MR. PARKER: You can answer that just yes  
24· or no.  
25· THE WITNESS: Generally?

**144**

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

1· MR. PARKER: Yeah, just yes or no.  
2· THE WITNESS: Personally, me specifically?  
3· MR. PARKER: Yes. That's the question.  
4· THE WITNESS: No.

**148:21-162:24**

21· MS. BREMER: Okay. I'd like to mark as  
22· Exhibit 99 --  
23· MR. GARCIA: 98.  
24· MS. BREMER: Oh -- 98 a document Bates  
25· labeled ORACLE\_HQCA\_416517 through -- that's it.

**149**

1· (Whereupon, Exhibit 98 was marked for  
2· identification.)  
3· BY MS. BREMER:  
4· . . . Q. Have you seen this document before?  
5· . . . A. Yes.  
6· . . . Q. Is -- what is it?  
7· . . . A. It appears to be an email between Chad  
8· Zeller, who was an HR business partner with  
9· Oracle -- I don't believe he's with us anymore --  
10· and a person by the name of Rosanne Park, who is a  
11· VP in Oracle customer support, according to her  
12· signature block.  
13· . . . Q. Did you review this in preparation for your  
14· deposition?  
15· . . . A. Yes.  
16· . . . Q. And it's a true and accurate copy of this  
17· email?  
18· . . . A. As far as I know.  
19· . . . Q. Are you familiar with the complaint made by  
20· Rosanne Park?  
21· . . . A. No, I am not.  
22· . . . Q. What did -- and this is a -- in the first  
23· email at the bottom, which is dated May 6, 2016 to  
24· Chad Zeller, it says, "Hi Chad, Can you confirm to  
25· me that I'm being paid equally for my work as per

**150**

1· the Equal Pay Act and Title VII of the Civil Rights  
2· Act, et cetera?"  
3· Do you see that?  
4· . . . A. Yes, I do.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

5· . . . Q. Did this complaint go to the investigative  
6· unit?  
7· . . . A. I don't know.  
8· . . . Q. Do you know who investigated Rosanne Park's  
9· complaint?  
10· . . . A. Off the top of my head, no, I do not.  
11· . . . Q. Do you have information about the  
12· investigation that was conducted regarding Rosanne  
13· Park's complaint?  
14· . . . A. Do I personally have information?  
15· . . . Q. No, as the person testifying for Oracle.  
16· MR. PARKER: You can answer that yes or no  
17· as it's personal knowledge, but beyond if you're  
18· going to get into specifics of the investigation,  
19· I'll instruct her not to answer based on  
20· attorney-client privilege.  
21· THE WITNESS: I -- ask the question again,  
22· please.  
23· BY MS. BREMER:  
24· . . . Q. Do you have information about the  
25· investigation that was conducted regarding Rosanne

**151**

1· Park's complaint?  
2· . . . A. I have -- I don't know personally if  
3· there's information about this complaint, no.  
4· . . . Q. And on behalf of Oracle, you're not  
5· answering pursuant to your counsel's instruction?  
6· . . . A. I just --  
7· MR. PARKER: Not as to the specifics of the  
8· complaint, no, she's not -- I mean, the specifics of  
9· the investigation, she is not.  
10· BY MS. BREMER:  
11· . . . Q. Okay. Do you know what the results of the  
12· investigation regarding this 2016 complaint by  
13· Rosanne Park were?  
14· . . . A. I do not.  
15· MS. BREMER: I'm going to mark as  
16· Exhibit 99 a document Bates labeled  
17· ORACLE\_HQCA\_547809 through 10.  
18· (Whereupon, Exhibit 99 was marked for  
19· identification.)  
20· BY MS. BREMER:  
21· . . . Q. Have you seen Exhibit 99 before?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

22· . . . A. Yes, I believe so.  
23· . . . Q. Is it a true and correct copy of this  
24· string of emails from March 31st, 2016 through  
25· September 1st, 2017?

**152**

1· . . . A. As far as I know.  
2· . . . Q. Looking at the first email dated March  
3· 31st, 2016, there's an email from Rosanne Park.  
4· . . . A. Uh-huh.  
5· . . . Q. Who was it sent to? Actually, it looks --  
6· . . . A. Looks like she sent it to herself.  
7· . . . Q. And then forwarded it?  
8· . . . A. Oh, maybe.  
9· . . . Q. Forwarded it to Chad Zeller?  
10· . . . A. But this one is sent on March 31st of 2016.  
11· The first -- the next email is September of 2017.  
12· The subject line is the same, with the added  
13· forward.  
14· . . . Q. So in the middle of the second paragraph on  
15· September 1st, 2017, Rosanne Park wrote, "In his  
16· first weeks he directly said he would get his work  
17· done through his network of Indian guys and he also  
18· said that is how Thomas Kurian does it. He says  
19· Thomas just goes through Aria until he finds an  
20· Indian guy and then calls him directly."  
21· Who is Thomas Kurian?  
22· . . . A. Thomas Kurian was the president of Oracle.  
23· He's since left the company.  
24· . . . Q. And what's Aria?  
25· . . . A. Aria is our corporate director of

**153**

1· employees.  
2· . . . Q. Do you know what was done to investigate  
3· this complaint?  
4· . . . A. I do not.  
5· . . . Q. If -- in a situation involving -- or  
6· claiming giving preference to Indians, is -- what  
7· would Oracle's practice be in investigating that  
8· complaint?  
9· . . . A. We don't have a general practice as it  
10· pertains to how we investigate any complaint. We  
11· take all complaints seriously and look into them as

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

12· is appropriate.

13· . . . Q. Do you know who Ajay is that's referenced

14· in these emails?

15· . . . A. I don't. I don't even see a last name. I

16· have no idea.

17· . . . Q. And what about Srini?

18· . . . A. No.

19· . . . Q. Was this complaint investigated by your

20· group?

21· . . . A. I don't know.

22· MS. BREMER: Let me mark as Exhibit 100 a

23· memorandum dated November 9th, 2017.

24· (Whereupon, Exhibit 100 was marked for

25· identification.)

**154**

1· BY MS. BREMER:

2· . . . Q. Have you seen this document before?

3· . . . A. Yes.

4· . . . Q. Is it a true and correct copy of a

5· memorandum from Mark Lane to Rosanne -- or, yes, to

6· Rosanne Park dated November 9th, 2017?

7· . . . A. As far as I know.

8· . . . Q. Is Mark Lane one of the investigators on

9· your team?

10· . . . A. Yes. He is.

11· . . . Q. And is his title senior employee practices

12· consultant?

13· . . . A. His discretionary title, yes.

14· . . . Q. Did you see this memorandum before it was

15· sent to Rosanne Park?

16· . . . A. I don't know.

17· . . . Q. Is it your practice to review memorandum of

18· investigation results before they're sent to the

19· complainants?

20· . . . A. No.

21· . . . Q. Who does review memorandum of investigation

22· results before they're sent to complainants?

23· . . . A. The legal department.

24· . . . Q. And do they review all results of

25· investigations?

**155**

1· . . . A. I can't make -- I can't answer that

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

2· question.

3· MR. PARKER: Do they do so as a general  
4· rule?

5· THE WITNESS: As a general rule, like I  
6· clarified earlier, they would review the results,  
7· yes, with the investigator. The investigation.  
8· That's our general practice.

9· BY MS. BREMER:

10· . . . Q. So looking at this memorandum, it says, "On  
11· September 7th, 2017 you contacted human resources to  
12· report your concerns with your managers.

13· Specifically, the concerns you reported including  
14· concerns that your manager is biased toward Indian  
15· employees and made inappropriate comments about  
16· women. You also informed me that you were upset  
17· that your manager was mentoring one of your  
18· employees and that this employee may have given  
19· preferential treatment to Indian candidates."

20· It says, "As a result of your concerns we  
21· conducted an investigation."

22· Do you know what investigation was  
23· conducted?

24· MR. PARKER: Calls for attorney-client  
25· privilege. Instruct not to answer.

**156**

1· Well, you can answer yes or no to the  
2· question. Do you know what was done?

3· THE WITNESS: No, I do not know what was  
4· done.

5· BY MS. BREMER:

6· . . . Q. So it states, "The investigation included  
7· interviews with you on September 20th, 2017 and  
8· interviews with management and other employees, as  
9· well as a review of various records, emails and  
10· files."

11· Do you know what records, emails, and files  
12· were reviewed?

13· . . . A. I do not.

14· MR. PARKER: And understand, just so the  
15· record is clear, even if she did, I would instruct  
16· her not to answer, asserting privilege.

17· BY MS. BREMER:

18· . . . Q. And the documentation would be in the

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

19· Beehive?

20· . . . A. As a general practice, if the case were

21· closed, that's where it would be, yes.

22· . . . Q. Okay. The third paragraph says, "The

23· results of this investigation revealed no evidence

24· that your manager has bias towards Indian employees

25· or that he made inappropriate comments about women.

**157**

1· Additionally, we found no reason to believe that

2· your manager's mentoring of one of your employees on

3· your team was inappropriate. We also have no

4· evidence" --

5· . . . A. The last sentence --

6· . . . Q. -- "being given by this employee to Indian

7· candidates."

8· In an investigation of bias, would

9· Ms. Park's statements be considered evidence?

10· MR. PARKER: Calls for a legal conclusion.

11· Vague and ambiguous.

12· THE WITNESS: I don't know.

13· BY MS. BREMER:

14· . . . Q. At the bottom it says, "Let me remind you

15· that the contents of this investigation are

16· confidential, and will be disclosed only to those

17· individuals who have a legitimate business reason to

18· know."

19· Who -- in this investigation, who would

20· receive the results of the investigation?

21· . . . A. I don't know who received the results of

22· this investigation.

23· . . . Q. Okay. So, clearly, Rosanne Park received

24· the results, right?

25· . . . A. Well, clearly, there was a memorandum that

**158**

1· was addressed to her, so I guess we could make the

2· assumption that this was sent to her.

3· . . . Q. Would it be general practice to also send

4· the results of an investigation into bias by a

5· particular manager to the manager?

6· MR. PARKER: Vague and ambiguous as to the

7· term "results," and also, that was asked and

8· answered this morning.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

9· MS. BREMER: Well, now I'm asking it  
10· specifically with respect to this investigation.  
11· MR. PARKER: And she's already answered the  
12· question.  
13· I'm sorry. You're saying would it  
14· typically be normal with -- in this investigation to  
15· send this to the manager?  
16· MS. BREMER: Yes.  
17· MR. PARKER: So that's vague and ambiguous.  
18· BY MS. BREMER:  
19· . . . Q. In an investigation where an employee is  
20· accusing a manager of bias, is it general practice  
21· to send the results of the investigation to the  
22· accused manager?  
23· MR. PARKER: Vague and ambiguous as to the  
24· word "results," and asked and answered.  
25· MS. BREMER: This memo is called

**159**

1· "Investigation Results."  
2· MR. PARKER: So you're asking would she  
3· send this document?  
4· BY MS. BREMER:  
5· . . . Q. Who received -- okay. Let me ask, who  
6· received copies of memorandums containing  
7· investigation results?  
8· MR. PARKER: Who received this document,  
9· Exhibit 100, if you know?  
10· THE WITNESS: I don't know who received  
11· this document.  
12· BY MS. BREMER:  
13· . . . Q. Okay. Turning back to Exhibit 97, on  
14· page 11.  
15· . . . A. My pages are sticking together. Okay.  
16· . . . Q. Under "Closure of Investigation," one of  
17· the tips is to follow up with the accused employee,  
18· put together a closeout memo or email depending on  
19· the nature of the investigation, and provide  
20· findings of the investigation.  
21· So where a manager were accused of bias,  
22· would the results of the investigation be provided  
23· to the manager?  
24· . . . A. I said --  
25· MR. PARKER: Object as to the term "results

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

**160**

1· of investigation,” and this was asked and answered.

2· In fact, we corrected the testimony so that it was

3· clearly answered.

4· But you can answer the best you can.

5· THE WITNESS: As I said earlier, when we

6· were talking about Exhibit -- I think it was when we

7· were talking about Exhibit 97 before, yes, generally

8· as a general practice, you could -- you would expect

9· that an accused employee may be told what was --

10· what was determined in an investigation.

11· But that is -- again, I cannot say that

12· that happens in every case.

13· BY MS. BREMER:

14· . . . Q. Okay. And who else obtains the

15· determinations of an investigation?

16· MR. PARKER: Vague and ambiguous.

17· Compound.

18· BY MS. BREMER:

19· . . . Q. The complaining employee, accused -- if

20· someone has been accused, they receive the findings

21· or results. Is there someone -- and legal, we've

22· talked about them.

23· Is there anybody else who receives the

24· findings of an investigation?

25· MR. PARKER: Vague and ambiguous. Portion

**161**

1· misstates her testimony, and it's compound.

2· THE WITNESS: Do you want to try again?

3· MR. PARKER: She doesn't. She's not going

4· to restate that question. She can -- she'll not

5· reframe it, so just answer the question if you can.

6· THE WITNESS: So repeat your question, I'm

7· sorry.

8· BY MS. BREMER:

9· . . . Q. Other than the complaining employee, the

10· accused, and legal, does anyone else receive the

11· results or findings of investigations of

12· discrimination?

13· MR. PARKER: Same objections.

14· THE WITNESS: I can't answer the question

15· as pertains to any specific investigation or

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

16· specifically about discrimination, but are you  
17· asking me if memorandums like Exhibit 100 go to  
18· other parties?  
19· BY MS. BREMER:  
20· . . . Q. Yes.  
21· . . . A. No.  
22· . . . Q. Do other parties receive --  
23· . . . A. Let me reframe that. Excuse me. Sorry.  
24· Let me clarify one point.  
25· There is -- there may be cases where this

**162**

1· memo- -- a memorandum such as Exhibit 100 could be  
2· seen by the specific HR business partner for the  
3· accused or the complainant. Again, not carved in  
4· stone. It could happen if they happen to be  
5· involved somehow.  
6· . . . Q. And does anyone else receive investigation  
7· results such as Exhibit 100, such as OFCCP's  
8· compliance -- like Shauna Holman-Harries, for  
9· example?  
10· MR. PARKER: It's vague and ambiguous.  
11· THE WITNESS: Is your question whether  
12· Shauna -- my colleague Shauna Holman-Harries  
13· receives these types of documents?  
14· BY MS. BREMER:  
15· . . . Q. Yes.  
16· . . . A. As Exhibit 100?  
17· . . . Q. Right.  
18· . . . A. Not as far as I know.  
19· . . . Q. Does she receive any other reporting from  
20· your group on investigations of compensation  
21· discrimination claims?  
22· MR. PARKER: Vague and ambiguous as framed.  
23· THE WITNESS: I don't interact with her on  
24· investigations at all.

**163:2-8**

2· . . . Q. Okay. We've talked about who receives  
3· copies of investigation results such as the  
4· memorandum that's in Exhibit 100.  
5· Are there other types of memorandum or  
6· summaries of investigation results that would be  
7· sent to other people than the ones we've discussed?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

8· · · · A. Not that I'm aware of.

**175:14-176:20**

14· · · · Q. Does Oracle have a policy or a practice  
15· regarding providing information about other people's  
16· salaries to a person?

17· · · · A. You are asking about all of Oracle, is  
18· there a policy? Is that your question?

19· · · · Q. Well, I'm really asking about your group  
20· who conducts investigations.

21· · · · A. We don't set policy.

22· · · · Q. I know, but -- okay. I'm talking about  
23· following policy.

24· · · · A. Okay. When you ask me a question, "does  
25· Oracle," then I immediately go to, "does Oracle,"

**176**

1· right?

2· · · · Q. Right.

3· · · · A. This huge company with lots of  
4· jurisdictional requirements. And so I can't answer  
5· unless you're being a little more narrow. It's too  
6· broad.

7· · · · Q. All right. You're supposed to be  
8· testifying on behalf of Oracle --

9· · · · A. Sure.

10· · · · Q. -- which is why I ask you --

11· MR. PARKER: But not on this topic.

12· THE WITNESS: Not on this topic so --

13· MR. PARKER: It's a different thing.

14· If you can answer, you can do your best at  
15· doing that.

16· THE WITNESS: Here's what I would say. In  
17· my experience as an HR professional at Oracle, we do  
18· not, as a practice -- this would be in the  
19· United States -- share people's -- one employee's  
20· salary with another employee. No.

**179:2-3**

2 Q. Okay. We were talking about Exhibit 103,  
3 and the document talked about budgetary constraints.

**179:4-22**

4· What authority does the -- do the HR

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

5· investigators have to make adjustments to people's  
6· pay as a result of their investigation?  
7· MR. PARKER: Assumes facts.  
8· THE WITNESS: As far as I know, HR  
9· investigators don't have any authority -- to adjust  
10· someone's salary?  
11· BY MS. BREMER:  
12· . . . Q. Yes.  
13· . . . A. No, we don't have that authority.  
14· . . . Q. If, as a result of an investigation, you  
15· felt that an adjustment to someone's salary was  
16· warranted, what would you do?  
17· . . . A. I would work with legal, and it would  
18· depend on the nature of the case what we would do  
19· next. I can't say.  
20· . . . Q. Does your group have any budget that can be  
21· used to remedy complaints that are made?  
22· . . . A. No.

**181:9-218:11**

9· MS. BREMER: Okay. I'll mark as  
10· Exhibit 105 a document to Nicole Alexander from  
11· Barbara Hardy dated April 11th, 2017.  
12· (Whereupon, Exhibit 105 was marked for  
13· identification.)  
14· BY MS. BREMER:  
15· . . . Q. Do you recognize this document?  
16· . . . A. Yes.  
17· . . . Q. Is this a true and correct copy of an email  
18· exchange between Nicole Alexander and Barbara Hardy  
19· on April -- on or about April 10th and 11th of 2017?  
20· . . . A. As far as I know.  
21· . . . Q. At the bottom -- on the bottom email chain  
22· it says, "The Labor Department claims that Oracle  
23· 'routinely pays white male workers more than their  
24· female and non-white counterparts for comparable  
25· jobs.' In light of this now public disclosure, I

**182**

1· would like my salary discretely reviewed. In my  
2· estimation, my salary is over 50,000 less than what  
3· other software engineers with my level of experience  
4· are paid in the Bay Area."  
5· Was this complaint investigated?

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

6· . . . A. I don't know.  
7· . . . Q. Who is Barbara Hardy?  
8· . . . A. Barbara Hardy was a colleague of mine in  
9· HR. She ran our diversity and inclusion function.  
10· She has left Oracle.  
11· . . . Q. When she received complaints regarding  
12· compensation discrimination, were those forwarded to  
13· your group?  
14· . . . A. I don't know.  
15· . . . Q. Do you know if this one was?  
16· . . . A. No, I do not.  
17· MS. BREMER: I'd like to mark as  
18· Exhibit 107 --  
19· MR. PARKER: 106 is next in order.  
20· MS. BREMER: Sorry. Yep -- 106 a memo  
21· dated July 3rd, 2017 to Nicole Alexander from Nicole  
22· Lurie.  
23· (Whereupon, Exhibit 106 was marked for  
24· identification.)  
25

**183**

1· BY MS. BREMER:  
2· . . . Q. Have you seen this document before?  
3· . . . A. Yes, I have.  
4· . . . Q. And who is Nicole Lurie?  
5· . . . A. Nicole Lurie is one of our HR  
6· investigators. She works for me.  
7· . . . Q. Is it your understanding that this memo  
8· conveys the investigation results of the complaint  
9· made in Exhibit 105?  
10· . . . A. Honestly, I don't -- I would be making an  
11· assumption. I don't know. But it appears to be --  
12· they both appear to be involving Nicole Alexander,  
13· or a person named Nicole Alexander.  
14· . . . Q. And is this a true and correct copy of a  
15· memo from Nicole Lurie to Nicole Alexander on or  
16· about July 3rd, 2017?  
17· . . . A. As far as I know.  
18· . . . Q. So the memo states, "This letter is written  
19· confirmation of the results of the salary review  
20· conducted by Human Resources on your behalf  
21· following your April 10th, 2017 email."  
22· Do you know what salary review was

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

23· conducted?

24· MR. PARKER: Instruct not to answer.

25· Attorney-client privilege.

**184**

1· THE WITNESS: I can't answer that question.

2· BY MS. BREMER:

3· . . . Q. Says, "You alleged that your salary was low  
4· and wanted to know how it compared to others because  
5· following your volunteer relocation from  
6· New Hampshire to California, specifically the  
7· Bay Area, you felt you were paid lower than what  
8· other tech companies were paying in the area."

9· What information did -- are you aware of --

10· okay.

11· Let me just -- it says, "We conducted a  
12· thorough investigation of your concerns that  
13· included interviews with you, your manager, other  
14· employees, and management. We also reviewed various  
15· records, emails and files, including information and  
16· documentation you provided relevant to this  
17· investigation."

18· Can you tell me what specifically was  
19· reviewed?

20· MR. PARKER: Instruct not to answer.

21· Attorney-client privilege.

22· THE WITNESS: I can't answer that question.

23· BY MS. BREMER:

24· . . . Q. The investigation results memo states, "Our  
25· investigation found no evidence that gender, race or

**185**

1· anything else inappropriate factored into the  
2· compensation decisions within your department. We  
3· did find that there are variations in pay due to  
4· legitimate business reasons such as performance  
5· levels, job scope and responsibilities, and overall  
6· contribution to the business."

7· Are you aware of additional information  
8· that was provided to Nicole Alexander regarding the  
9· legitimate business reasons for the pay differences?

10· . . . A. I am not aware.

11· . . . Q. Have you had any training regarding what

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

12· legitimate business reasons are for differences in  
13· pay based on gender?  
14· . . . A. Formal training?  
15· . . . Q. Yes.  
16· . . . A. Is that your question?  
17· . . . Q. Yes.  
18· . . . A. No. Not that I can recall.  
19· . . . Q. Do you know if there was any comparison of  
20· Ms. Alexander's compensation to other people's  
21· compensation in Oracle's headquarters as part of  
22· this investigation?  
23· MR. PARKER: Instruct not to answer.  
24· Attorney-client privilege.  
25· THE WITNESS: I can't answer that question.

**186**

1· MS. BREMER: I'm going to mark as  
2· Exhibit 107 an email from Lois Price to Marta Leon  
3· dated April 12th, 2017.  
4· (Whereupon, Exhibit 107 was marked for  
5· identification.)  
6· THE WITNESS: Thank you. Oh, wow this is  
7· the eye chart one. Need my magnifying glass.  
8· BY MS. BREMER:  
9· . . . Q. Do you know who Marta Leon is?  
10· . . . A. Yes.  
11· . . . Q. Who is that?  
12· . . . A. Marta Leon was an HR business partner at  
13· Oracle. I believe she has left the company.  
14· . . . Q. And who is she HR business partner with?  
15· . . . A. You're taxing my memory now. Off the top  
16· of my head, I believe she reported in to Madie's  
17· organization so she could have covered --  
18· MR. PARKER: Sorry, do you know or do you  
19· not know?  
20· THE WITNESS: I don't know.  
21· MR. PARKER: I don't mind you -- as they  
22· say, you're entitled to an estimate.  
23· THE WITNESS: Best information.  
24· MR. PARKER: But if you don't know, then  
25· you just don't know.

**187**

1· BY MS. BREMER:

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

2· . . . Q. The best of your recollection --  
3· . . . A. If your question is --  
4· . . . Q. -- she reported to Madie?  
5· . . . A. That's all I can remember, but who -- your  
6· question was?  
7· . . . Q. What's Madie's last name?  
8· . . . A. Cheruvu, C-H-E-R-U-V-U. That spelling, I  
9· may have to check for you at a break.  
10· . . . Q. My question was, what line of business did  
11· Marta Leon work with?  
12· . . . A. I don't know.  
13· Q. Do you know what line of business Madie  
14· Cheruvu did?  
15· . . . A. Lots of them.  
16· . . . Q. And it included product development?  
17· . . . A. Yes, it did.  
18· . . . Q. She worked with Thomas Kurian?  
19· . . . A. Madie did work with Thomas Kurian, yes.  
20· . . . Q. Have you seen Exhibit 107 before?  
21· . . . A. Yes.  
22· . . . Q. And did you see it in preparation for this  
23· deposition?  
24· . . . A. Yes.  
25· . . . Q. Does it appear to be a true and correct

**188**

1· copy of an email from Lois Price to Marta Leon sent  
2· around on or about April 12th, 2017?  
3· . . . A. As far as I know.  
4· . . . Q. The email says, "Hi Marta, Would you  
5· confirm that I am being paid equally for my work as  
6· per the Equal Pay Act and Title VII of the Civil  
7· Rights Act, et cetera? Seems to me that I'm on the  
8· very low side of what the Senior Director should be  
9· paid given my experience and contribution to  
10· Oracle."  
11· Did this email initiate an investigation by  
12· Oracle regarding Lois Price's pay?  
13· . . . A. Off the top of my head, I do not know.  
14· MS. BREMER: Okay. I'll mark as  
15· Exhibit 108 a memorandum of investigation results  
16· dated July 7th, 2017 to Lois Price from Nicole  
17· Lurie.  
18· (Whereupon, Exhibit 108 was marked for

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

19· identification.)

20· BY MS. BREMER:

21· . . . Q. Have you seen this document before?

22· . . . A. Yes, I have.

23· . . . Q. Is this a true and correct copy of the

24· investigation results from Nicole Lurie to Lois

25· Price on or about July 7th, 2017?

**189**

1· . . . A. Yes. As far as I know.

2· . . . Q. And Nicole Lurie is one of the HR

3· investigators in your group?

4· . . . A. That's correct.

5· . . . Q. Did you review this memorandum before it

6· was sent to Lois Price?

7· . . . A. Not that I recall.

8· . . . Q. In the first paragraph it says, "You and I

9· spoke on April 28th, 2017 after I was assigned to

10· look into your concerns. You felt that your base

11· salary was on the low side for senior director

12· position and felt it might be due to your gender.

13· While we didn't know the pay of others -- while you

14· didn't know the pay of others, you shared that you

15· hired Masum Mayana, as a senior director, reporting

16· to you, and that his pay was 25 percent more than

17· yours."

18· What was done to investigate Lois Price's

19· claim of compensation discrimination?

20· MR. PARKER: Objection. Attorney-client

21· privilege. Instruct not to answer.

22· THE WITNESS: I can't answer that question.

23· MR. PARKER: No.

24· BY MS. BREMER:

25· . . . Q. Do you know, as part of the investigation,

**190**

1· the investigator would look at Masum Mayana's

2· compensation compared to Lois Price's?

3· MR. PARKER: Same objection. Same

4· instruction.

5· BY MS. BREMER:

6· . . . Q. The second paragraph of the investigation

7· results memo states, "We conducted a thorough

8· investigation of your concerns that included

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

9· interviews with you, your manager, other employees,  
10· and management. We also reviewed various reports,  
11· emails and files, including information and  
12· documentation you have provided relevant to this  
13· investigation.”  
14· This paragraph has the same wording as  
15· other memos of investigation results that we’ve  
16· reviewed. Is this -- do you have a template for  
17· memos of investigation results?  
18· . . . A. Not that I recall. Template.  
19· We probably have examples that we share  
20· with each other, but not a template.  
21· . . . Q. Examples that are posted that people can  
22· use?  
23· . . . A. Well, yeah. They have -- so if someone  
24· needed and wanted to see, you know, a closeout memo  
25· for a -- you know, wanted some help with wording or

**191**

1· something, yeah, they might talk to each other in  
2· that regard, but there’s not a template per se. The  
3· investigators write their own closeout memos.  
4· . . . Q. The third paragraph says, “Our  
5· investigation found no evidence that gender or  
6· anything else inappropriate factored into the  
7· compensation decisions within your department. We  
8· did find that there are variations in pay due to  
9· legitimate business reasons such as performance  
10· levels, job scope and responsibilities, and overall  
11· contribution to the business.”  
12· Do you know if Oracle found specific  
13· legitimate business reasons in this case?  
14· MR. PARKER: Instruct not to answer.  
15· Attorney-client privilege.  
16· BY MS. BREMER:  
17· . . . Q. It says, “We also did confirm that Masum’s  
18· base pay is higher than yours; however, we found  
19· nothing gender-related in that decision.”  
20· Do you know what was reviewed in reaching  
21· that finding?  
22· MR. PARKER: Instruct not to answer.  
23· Attorney-client privilege.  
24· BY MS. BREMER:  
25· . . . Q. Are you aware of any other information that

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

**192**

1· Lois Price was -- or received regarding the results  
2· of the investigation of her compensation  
3· discrimination complaint?  
4· . . . A. No, I'm not aware.  
5· MS. BREMER: I'd like to mark as  
6· Exhibit 109· a document dated October 3rd, 2016 from  
7· Katrine Haugerud to Lisa Hanson.  
8· (Whereupon, Exhibit 109 was marked for  
9· identification.)  
10· BY MS. BREMER:  
11· . . . Q. Have you seen Exhibit 109 before?  
12· . . . A. Yes.  
13· . . . Q. Did you see it in preparation for your  
14· deposition?  
15· . . . A. Yes.  
16· . . . Q. Does it appear to be a true and correct  
17· copy of an email from Katrine Haugerud to Lisa  
18· Hanson sent on or about October 3rd, 2016?  
19· . . . A. As far as I know.  
20· . . . Q. The email states, "According to the  
21· California Equal Pay Act that went into effect on  
22· October 6th, 2015," and it provides a link, "I would  
23· like to ensure that I'm treated fairly by being paid  
24· equal to others for my position at Oracle."  
25· Was this complaint investigated by Oracle?

**193**

1· . . . A. Off the top of my head, I don't know.  
2· . . . Q. And who is Lisa Hanson?  
3· . . . A. HR business partner at Oracle.  
4· . . . Q. And what group -- what groups does she work  
5· with?  
6· . . . A. I don't know what groups she works --  
7· worked with. I believe she's also in -- was in  
8· Madie Cheruvu's team at this time. She's left --  
9· doesn't work for the company anymore.  
10· . . . Q. And at the bottom it says that Katrine  
11· Haugerud is senior director of Oracle applications  
12· development. Does that mean that she's an  
13· applications -- in the applications development job  
14· function?  
15· MR. PARKER: Vague and ambiguous. Lacks

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

16· foundation.

17· BY MS. BREMER:

18· . . . Q. If you know.

19· . . . A. I don't.

20· MS. BREMER: I'll mark as Exhibit 110 an

21· email chain between Lisa Hanson and Katrine Haugerud

22· between January 27th (verbatim), 2017 and February

23· 2nd, 2017.

24· (Whereupon, Exhibit 110 was marked for

25· identification.)

**194**

1· BY MS. BREMER:

2· . . . Q. Have you seen this document before?

3· . . . A. Yes, I have.

4· . . . Q. And is it a true and correct copy of the

5· email chain between Katrine Haugerud and Lisa Hanson

6· between January 26th, 2017 and February 2nd, 2017?

7· . . . A. As far as I know.

8· . . . Q. On the bottom email it says, "This email is

9· to acknowledge the concerns you brought to my

10· attention on October 6th, 2016 regarding your

11· compensation."

12· . . . A. Uh-huh. I see that.

13· . . . Q. Do you know, first of all, why the response

14· was in an email rather than an investigation results

15· memo?

16· . . . A. It doesn't have to happen any -- it depends

17· on the case. It can happen either way.

18· . . . Q. So the form of the investigation results

19· can be either email or a memo?

20· . . . A. Yes. That's correct.

21· . . . Q. Okay. It says that "My review included

22· interviews with you and management as well as review

23· of relevant documents and information."

24· Do you know what documents and information

25· was reviewed?

**195**

1· MR. PARKER: Instruct not to answer.

2· Attorney-client privilege.

3· THE WITNESS: I can't answer that question.

4· BY MS. BREMER:

5· . . . Q. Do you know if the review included

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

6· review -- sorry.  
7· Do you know if the investigation included  
8· reviewing compensation of other people in the same  
9· job title as Katrine Haugerud?  
10· MR. PARKER: Same objection. Same  
11· instruction.  
12· BY MS. BREMER:  
13· . . . Q. It says -- the next paragraph is, "As I  
14· explained during our discussion on January 20th,  
15· 2016, my review did not find any evidence that your  
16· gender played a role in decisions that were made  
17· with respect to your compensation."  
18· Do you have any information about the  
19· discussion on January 20th of 2016?  
20· MR. PARKER: You can just answer that yes  
21· or no.  
22· THE WITNESS: No, I do not.  
23· MR. PARKER: And then I want to be clear on  
24· something so I don't -- you've been asking "do you  
25· know" questions about these things. And as I said

**196**

1· earlier, even if she does know, I'm objecting on  
2· attorney-client privilege.  
3· So I've been doing the one-two because  
4· you've asked "do you know." I've been instructing.  
5· So I don't believe she will know anything underlying  
6· any of these investigations because her knowledge  
7· would then be attorney-client privilege, and I would  
8· not allow her to answer.  
9· BY MS. BREMER:  
10· . . . Q. The email says, "Given the nature and scope  
11· of your role which is different than that of your  
12· peers, we believe you are being paid appropriately."  
13· How is the nature and scope of her role  
14· different than that of her peers?  
15· MR. PARKER: Instruct not to answer.  
16· Attorney-client privilege.  
17· BY MS. BREMER:  
18· . . . Q. Okay. The next email chain which is above,  
19· sent January 31st, 2017, says, "Thanks for getting  
20· back to me on my concern regarding the Equal Pay Act  
21· statute and how it relates to my situation  
22· specifically."

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

23· And then it says, “My biggest concern with  
24· your response is that you are not providing any real  
25· data to support your findings, although in my job

**197**

1· code the salary band/range is 230,000 to 414,000.  
2· My salary is 179,167. My salary is significant  
3· below the lowest number in this band. By looking at  
4· this figure alone, I don’t see how that can possibly  
5· be fair, even aside from the new statute.”  
6· Do you know if this information is  
7· accurate?  
8· . . . A. Which information specifically?  
9· . . . Q. About her salary and the range.  
10· . . . A. Off the top of my head, I do not.  
11· . . . Q. The -- okay. At the top there’s a response  
12· dated February 2nd, 2017.  
13· It says “Thanks for the follow-up email. I  
14· am not in a position to share data regarding other  
15· employees’ salaries with you, as that information is  
16· confidential to those employees. I did, however,  
17· review the salaries of other employees in the  
18· process. As we discussed, we were unable to  
19· substantiate your complaint of unlawful pay  
20· disparities based on your gender. To the extent  
21· that disparities exist, those differences can be  
22· explained by legitimate business factors unrelated  
23· to gender.”  
24· Are you aware of any additional information  
25· that was provided to Katrine Haugerud regarding

**198**

1· salary data?  
2· . . . A. I am not.  
3· . . . Q. Are you aware of any additional information  
4· that was provided to her regarding the legitimate  
5· business factors unrelated to gender that Oracle  
6· contended explained the differences?  
7· . . . A. Can you repeat your question? You lost me  
8· there somewhere.  
9· . . . Q. It says at the bottom sentence of the first  
10· paragraph of this first email, it says, “To the  
11· extent that disparities exist, those differences can  
12· be explained by legitimate business factors

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

13· unrelated to gender.”

14· Are you aware of any additional information

15· that was provided to Katrine Haugerud regarding what

16· those legitimate business reasons were?

17· . . . A. I am not.

18· MS. BREMER: Okay. I'm going to mark as

19· Exhibit 111 a document dated February 26th, 2018

20· from Anna Woods to Asmara Beyene. I don't know if

21· I'm pronouncing it correctly.

22· (Whereupon, Exhibit 111 was marked for

23· identification.)

24· BY MS. BREMER:

25· . . . Q. Have you seen Exhibit 111 before?

**199**

1· . . . A. Yes.

2· . . . Q. Did you see it in preparation for your

3· deposition?

4· . . . A. Yes.

5· . . . Q. Does it appear to be a true and correct

6· copy of an email exchange between Anna Woods and

7· Asmara Beyene between February 22nd, 2018 and

8· February 26th, 2018?

9· . . . A. Yeah, as far as I know.

10· . . . Q. On the email chain at the bottom dated

11· February 21st, 2018, Asmara Beyene wrote in the

12· second paragraph, "I have in the past asked my (used

13· to be) manager, Sharon, on where I stand in salary

14· range and she said that I am in the lowest zero to

15· 20 percent of 100. Based on that information, I

16· would like to know what the range/numbers are

17· exactly. I would also like to know how to request

18· adjustment/raise to bring me up to standard.”

19· Did Oracle conduct an investigation as a

20· result of this concern being raised?

21· . . . A. Off the top of my head, I don't know.

22· . . . Q. Who is Anna Woods?

23· . . . A. She's an HR business partner.

24· . . . Q. And what -- do you know who she reports to?

25· . . . A. I'm not sure. She worked there longer than

**200**

1· me. She's reported to a lot of people.

2· . . . Q. Do you know what lines --

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

3· · · · A. I'd be guessing.

4· · · · Q. Do you know what lines of business she

5· · · · worked with?

6· · · · MR. PARKER: Vague as to time.

7· · · · BY MS. BREMER:

8· · · · Q. In 2018?

9· · · · A. I do not. Although the signature block

10· · · · does say "HR Business Partner for Global IT," so

11· · · · based on what's written here, that's all I know.

12· · · · Q. The email from Asmara Beyene also says, "I

13· · · · also learned that recently there was a salary

14· · · · adjustment to women in Oracle. Is there any reason

15· · · · why I'm not part of that?"

16· · · · MS. BREMER: Okay. I'm going to then move

17· · · · to Exhibit 112, which I'm going to mark, which is an

18· · · · email dated June 8th, 2018 from Anna Woods to Asmara

19· · · · Beyene.

20· · · · (Whereupon, Exhibit 112 was marked for

21· · · · identification.)

22· · · · BY MS. BREMER:

23· · · · Q. Have you seen this document before?

24· · · · A. Yes.

25· · · · Q. Is it a true and correct copy of an email

**201**

1· · · · from Anna Woods to Asmara Beyene sent on or about

2· · · · June 8th, 2018?

3· · · · A. As far as I know.

4· · · · Q. Do you know what Anna Woods -- I'm sorry.

5· · · · Do you know what Asmara Beyene's race is?

6· · · · A. I do not.

7· · · · Q. So the first paragraph says, "As you know,

8· · · · you came to me because you felt your salary was low

9· · · · and you've heard that there had been a salary

10· · · · increase for only women in the December 2017/January

11· · · · 2018 time frame. As a result of coming to me, I

12· · · · looked into the concerns you raised. This included

13· · · · a review of relevant documentation and information,

14· · · · as well as conversations with you and others."

15· · · · Do you know specifically -- what

16· · · · specifically did Oracle do to conduct an

17· · · · investigation of Asmara Beyene's complaint?

18· · · · MR. PARKER: Instruct not to answer.

19· · · · Attorney-client privilege.

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

20· BY MS. BREMER:

21· . . . Q. The second paragraph of this email says,  
22· “As we discussed on the 31st, there was no salary --  
23· increase salary for exclusively women in the  
24· December 2017/January 2018 time frame or any other  
25· time frame. There was, however, a regular

**202**

1· Focal/Salary increase cycle that took place, and any  
2· changes as a result of that process were effective  
3· on January 1st, 2018.”

4· Were you involved in any decisions related  
5· to the focal/salary increase that was effective  
6· January 1st, 2018?

7· MR. PARKER: Vague and ambiguous.

8· THE WITNESS: Can you be more specific?

9· BY MS. BREMER:

10· . . . Q. Were you involved in any decisions related  
11· to the focal/salary increase that was effective  
12· January 1st, 2018?

13· MR. PARKER: Vague and ambiguous.

14· THE WITNESS: I was involved in the  
15· decisions for my own team.

16· BY MS. BREMER:

17· . . . Q. Were you involved in any decisions as  
18· regarding whether there would be a regular  
19· focal/salary increase or the purposes of that  
20· increase?

21· MR. PARKER: Vague and ambiguous.

22· Compound.

23· THE WITNESS: I was only involved as it  
24· pertains to my own team.

25

**203**

1· BY MS. BREMER:

2· . . . Q. Do you know if the salary increase was  
3· disproportionately given to women?

4· MR. PARKER: Lacks foundation.

5· THE WITNESS: I have no idea.

6· MR. PARKER: Vague and ambiguous.

7· BY MS. BREMER:

8· . . . Q. The memo goes on to say --

9· (Reporter clarification.)

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

10· BY MS. BREMER:

11· . . . Q. -- "You, like your peers, were eligible for  
12· the Focal/Salary, but because the budget was very  
13· limited, your management was not able to award you a  
14· salary increase at that time. I reviewed the  
15· reasons for this decision and did not find any  
16· evidence gender played a role in who received a  
17· salary increase in this cycle or any other."

18· What were the reasons that Oracle found for  
19· the decision not to provide an increase in salary to  
20· Asmara Beyene?

21· MR. PARKER: To the extent that it is  
22· protected by the attorney-client privilege, I  
23· instruct not to answer.  
24· Otherwise, where it comes out of this memo,  
25· if you know independent of this memo, then you can

**204**

1· certainly answer the question.  
2· But I'll object. Lacks foundation. Calls  
3· for speculation and outside the scope.  
4· THE WITNESS: I don't know.

5· BY MS. BREMER:

6· . . . Q. So in the third memo (verbatim) it says  
7· that "The business made an exception request to  
8· provide you a salary adjustment and received  
9· approval to do so. Effective February 27th, 2018,  
10· your base pay is \$45.68 per hour, \$95,014.40  
11· annually and your title is 'Senior Security  
12· Engineer.'"

13· How was approval obtained -- or what was  
14· the process for obtaining this salary adjustment?

15· MR. PARKER: Lacks foundation. Calls for  
16· speculation.

17· THE WITNESS: I don't have any information  
18· about how this approval was obtained.

19· BY MS. BREMER:

20· . . . Q. Have you -- have you ever obtained a salary  
21· adjustment to someone's salary after you conducted  
22· an investigation?

23· MR. PARKER: Asked and answered.

24· THE WITNESS: Repeat your question.

25

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

**205**

1· BY MS. BREMER:

2· . . . Q. Have you ever obtained a salary adjustment  
3· for anyone after you conducted an investigation?

4· . . . A. You're asking about me specifically?

5· . . . Q. Yes.

6· . . . A. No.

7· . . . Q. Has anyone on your team?

8· . . . A. Off the top of my head, I -- you're asking  
9· if I've ever received approval -- my -- okay. So  
10· now you're confusing me.

11· MR. PARKER: Has anyone -- has anyone on  
12· your team ever conducted an investigation and  
13· afterward has that person's salary increased?

14· THE WITNESS: Off the top of my head, I can  
15· remember a case, I believe, that ended up in an  
16· adjustment, but I would have to check. I'm not  
17· 100 percent sure.

18· MR. PARKER: Was it an HQCA?

19· THE WITNESS: Oh, gosh. You know what? I  
20· have no idea.

21· MR. PARKER: Okay.

22· THE WITNESS: But, again, I can't remember  
23· every single case that we do off the top of my head.

24· BY MS. BREMER:

25· . . . Q. Do you recall any other -- any cases by any

**206**

1· of your HR investigators who report to you that  
2· resulted in a salary adjustment after the  
3· investigation?

4· MR. PARKER: Asked and answered.

5· THE WITNESS: That's the question I just  
6· answered.

7· BY MS. BREMER:

8· . . . Q. I thought the question you just answered  
9· related to you specifically.

10· . . . A. Then you asked --

11· . . . Q. I'm broadening it to --

12· . . . A. But you already did that.

13· . . . Q. Okay.

14· . . . A. We did both.

15· . . . Q. Okay.

16· . . . A. So I said no --

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

17· . . . Q. Right.

18· . . . A. -- as it pertains to me. I don't recall  
19· myself conducting an investigation that resulted --  
20· that the findings then resulted in an adjustment to  
21· someone's salary. That, I do not recall.  
22· Personally.  
23· I do think it has happened with  
24· investigations that my team did, at least one time I  
25· can recall, but I do not know the location of that

**207**

1· employee.

2· . . . Q. And the one time that you recall, when was  
3· that?

4· . . . A. Oh, gosh. It was sometime between -- it  
5· was maybe sometime between -- it was 2015 to 2018.  
6· Somewhere in there. I don't know exactly when that  
7· was. I don't think it was 2019. It was before  
8· that.

9· . . . Q. And the questions that we -- that I was  
10· just asking and you were answering related to  
11· salary. So I'm going to ask the same thing with  
12· respect to any other compensation.  
13· Are you aware of any adjustments made to  
14· someone's compensation after an investigation was  
15· completed?

16· . . . A. You mean other than salary adjustments?

17· . . . Q. Exactly. Such as equity or bonus or  
18· anything else.

19· . . . A. Not that I can recall. No.

20· . . . Q. What is the process to get a salary  
21· adjustment approval following an investigation?  
22· MR. PARKER: Lacks foundation. Calls for  
23· speculation. And there's going to be a bit of  
24· attorney-client privilege, but if you know, is  
25· there -- do you know of a process, yes or no?

**208**

1· THE WITNESS: No, I do not.

2· (Brief interruption.)

3· BY MS. BREMER:

4· . . . Q. In the time that you were aware of when  
5· there was an adjustment after an investigation by  
6· someone on your team, were you involved in that at

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

7· all in getting the adjustment or discussing it?  
8· . . . A. No.  
9· MR. PARKER: Vague and ambiguous.  
10· Compound.  
11· THE WITNESS: I was not involved.  
12· BY MS. BREMER:  
13· . . . Q. So this memo says, “The business made an  
14· exception request to provide you a salary  
15· adjustment.”  
16· Is that talking about -- or is the business  
17· the line of business?  
18· MR. PARKER: Lacks foundation. Vague and  
19· ambiguous.  
20· THE WITNESS: I wasn’t involved in this  
21· process, so I would be guessing what is she  
22· referring to there.  
23· I could say generally, if we’re saying “the  
24· business,” she could mean the line -- the line of  
25· business that that person rolls into. That could be

**209**

1· possible.  
2· MR. PARKER: She’s not asking for what’s  
3· possible. She’s asking whether you know or not.  
4· THE WITNESS: I don’t know.  
5· BY MS. BREMER:  
6· . . . Q. Well, I’m asking, you know, if you were  
7· reading this as someone who works in HR at Oracle  
8· and understanding the terminology that’s used at  
9· Oracle, what would you understand that term to mean?  
10· MR. PARKER: Lacks foundation.  
11· THE WITNESS: I can say if I was personally  
12· using that term, and I did not write this memo or  
13· was not involved in writing it, the term “the  
14· business” means the specific line of business.  
15· MS. BREMER: I’d like to mark as  
16· Exhibit 113 an email from Lisa Hanson to Chinar  
17· Kapoor dated December 22nd, 2016.  
18· (Whereupon, Exhibit 113 was marked for  
19· identification.)  
20· BY MS. BREMER:  
21· . . . Q. Have you seen this document before?  
22· . . . A. Yes, I have.  
23· . . . Q. Did you review it in preparation for your

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

24· deposition today?

25· . . . A. Yes, I did.

**210**

1· . . . Q. Does it appear to be a true and correct  
2· copy of an email from Lisa Hanson to Chinar Kapoor  
3· sent on or about December 22nd, 2016?

4· . . . A. As far as I know.

5· . . . Q. What is Chinar Kapoor's gender?

6· . . . A. I do not know.

7· . . . Q. So the email says that "You indicated you  
8· felt your salary was low because the increments that  
9· you have received over the years have not kept up  
10· with the market. Given your role and years of  
11· experience, you believe some sort of correction  
12· adjustment could fix this concern. You mentioned  
13· you were curious about the discussions taking place  
14· in the valley about gender gap and equal pay for men  
15· and women."

16· And then it goes on to say, "Per our  
17· discussion on December 15th, 2016, I've looked into  
18· your concerns and did not find any evidence that  
19· your gender played a role in the decisions that were  
20· made with respect to your compensation. The data I  
21· reviewed indicates you were being paid consistently  
22· with your peers performing similar work."

23· What data was reviewed in connection with  
24· this investigation?

25· MR. PARKER: Instruct not to answer.

**211**

1· Attorney-client privilege.

2· BY MS. BREMER:

3· . . . Q. Are you aware of any additional information  
4· that was provided to Chinar Kapoor regarding her  
5· complaint?

6· . . . A. I am not aware.

7· MS. BREMER: I should have given you this  
8· one first, but I'm going to mark as Exhibit 114·a  
9· document dated November 1st, 2018 from Chinar Kapoor  
10· to Lisa Hanson, and it's actually an email chain  
11· with two emails between those two people.  
12· (Whereupon, Exhibit 114 was marked for  
13· identification.)

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

14· BY MS. BREMER:

15· . . . Q. Have you seen this document before?

16· . . . A. Yes.

17· . . . Q. And did you review it in connection with  
18· your deposition?

19· . . . A. Yes.

20· . . . Q. Does it appear to be a true and correct

21· email chain between Lisa Hanson and Chinar Kapoor on

22· November 1st, 2018?

23· . . . A. As far as I know.

24· . . . Q. Is it your understanding that this is the

25· email that resulted in the closure email that's

**212**

1· Exhibit 113?

2· . . . A. Well, I don't know that to be true or not

3· true, but the dates don't seem to line up.

4· The 12/22 note says that she brought the

5· concerns to Lisa's attention on October 13th. This

6· email is dated November 1st.

7· . . . Q. Oh, you're right.

8· . . . A. So I don't know -- oh, this is 2016 even.

9· This is a different year entirely.

10· . . . Q. Right. Okay.

11· . . . A. So this one is not attached to this one.

12· Okay.

13· . . . Q. Okay. So the --

14· . . . A. We're in 2018 now.

15· . . . Q. Exhibit 113 is not attached to --

16· . . . A. Okay.

17· . . . Q. -- Exhibit --

18· . . . A. 114.

19· . . . Q. -- 114.

20· . . . A. Okay.

21· . . . Q. Try not to talk over me.

22· . . . A. So sorry.

23· . . . Q. Okay. So in 2016, Chinar Kapoor raised

24· issues regarding whether gender played a role in

25· compensation decisions, and this is the closure memo

**213**

1· which is 113, correct?

2· . . . A. Exhibit 113 does appear to be a closure,

3· based on the subject, to Chinar from Lisa about the

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

4· concerns she raised in October of 2016.  
5· . . . Q. Okay. And then in November of 2018 Chinar  
6· Kapoor raised questions concerning compensation in  
7· her organization in an email to Lisa Hanson, right?  
8· . . . A. That's what I read, yes.  
9· . . . Q. So then I'm going to mark as Exhibit 115 a  
10· memorandum dated February 26th, 2019· from Michelle  
11· Nofer to Chinar Kapoor.  
12· (Whereupon, Exhibit 115 was marked for  
13· identification.)  
14· BY MS. BREMER:  
15· . . . Q. Have you seen this document before?  
16· . . . A. Yes, I have.  
17· . . . Q. Who is Michelle Nofer?  
18· . . . A. She's an HR investigator. She works for  
19· me.  
20· . . . Q. And is this a true and correct copy of a  
21· confirmation of closure/results of HR investigation  
22· by Michelle Nofer sent to Chinar Kapoor on or about  
23· February 26th, 2019?  
24· . . . A. As far as I know.  
25· . . . Q. It states at the beginning, "This is a

**214**

1· written confirmation of our conversation Friday,  
2· February 15th during which I provided you with the  
3· results of the investigation conducted by Human  
4· Resources into concerns you raised regarding your  
5· compensation. Specifically, you expressed concerns  
6· that you are not being paid fairly and that your  
7· male peers may be earning more than you."  
8· Do you have any further information about  
9· the conversation described as taking place February  
10· 15th?  
11· . . . A. I do not.  
12· . . . Q. The second paragraph says, "We conducted a  
13· thorough investigation of your concerns that  
14· included a review of data, including compensation  
15· information for you and others, interviews with you  
16· and other employees, as well as a review of various  
17· records, emails and files, including any information  
18· and documentation you have provided relevant to this  
19· investigation."  
20· What specifically was reviewed as part of

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

21· the investigation?

22· MR. PARKER: Instruct not to answer.

23· Attorney-client privilege.

24· BY MS. BREMER:

25· · · · Q. The third paragraph says, “Based on the  
**215**

1· evidence gathered, the investigation revealed that

2· you are paid comparably to the majority of your

3· peers who perform substantially similar work. We

4· found no evidence that gender or any other protected

5· characteristic was a factor in the determination of

6· your compensation or that of others.”

7· Are you aware of any other information

8· provided to Chinar Kapoor as a result of her

9· complaint in the investigation?

10· · · · A. I am not aware.

11· · · · Q. Are you aware of any investigation by

12· Oracle that resulted in a finding that there was

13· compensation discrimination?

14· MR. PARKER: Sorry. Hold on.

15· BY MS. BREMER:

16· · · · Q. Are you aware of any investigation by

17· Oracle that resulted in a finding that there was --

18· MR. PARKER: I see it. I think it's vague.

19· BY MS. BREMER:

20· · · · Q. Okay. Are you aware of any investigation

21· by your group --

22· MR. PARKER: Oh, I'm sorry, your question

23· is divorced of Exhibit 115?

24· MS. BREMER: It's not completely divorced.

25· I -- this Exhibit 115 says, “We found no

**216**

1· evidence that gender or any other protected

2· characteristic was a factor in the determination of

3· your compensation or that of others.”

4· I'm wondering if she's aware of any

5· investigation by her group that did find gender

6· discrimination in compensation.

7· MR. PARKER: Okay. As framed, it calls for

8· attorney-client privilege.

9· MS. BREMER: No, I'm asking about the

10· results of the investigation.

11· MR. PARKER: But you didn't say that. And

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

12· are you saying something that was communicated to an  
13· employee? Because if you don't have that, then it  
14· would definitely be protected by attorney-client  
15· privilege.

16· BY MS. BREMER:

17· . . . Q. Okay. Are you aware of any results of an  
18· HR investigation that communicated to an employee  
19· that found compensation discrimination?

20· MR. PARKER: Is this for HQ and HCA?

21· MS. BREMER: Yes.

22· (Reporter clarification.)

23· MR. PARKER: This is for HQ and HCA.

24· Do you have the question in mind?

25· THE WITNESS: Okay. So you ask -- do I

**217**

1· understand your question to be, am I aware of any  
2· results being communicated to an employee that we  
3· found discrimination -- pay discrimination --  
4· discrimination in pay?

5· BY MS. BREMER:

6· . . . Q. Yes.

7· . . . A. I am not aware.

8· . . . Q. Are you aware of any investigation results  
9· by the HR business partners that found pay  
10· discrimination and were communicated to the  
11· employee?

12· . . . A. I can't answer that question as stated.

13· . . . Q. Are you aware of any results of an  
14· investigation by the HR business partners concerning  
15· an employee at headquarters that found  
16· discrimination, pay discrimination?

17· . . . A. I'm --

18· MR. PARKER: As phrased --

19· THE WITNESS: I can't answer that question.

20· MR. PARKER: -- that would call for

21· attorney-client privilege.

22· And I don't understand why -- I don't

23· understand why she's saying she can't answer the

24· question. So do you mind if I take a break? I

25· don't care what the answer is.

**218**

1· MS. BREMER: Let me just try one more time

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

2· because -- okay.  
3· . . . Q. I'm talking about results of an  
4· investigation regarding a claim of compensation  
5· discrimination. And I'm wondering if you're aware  
6· of any results of an investigation by the HR  
7· business partners that had a finding of compensation  
8· discrimination that were conveyed to an employee.  
9· . . . A. No, I am not aware of any communication to  
10· an employee of an investigation result that found  
11· pay discrimination. I am not aware of that.

**226:7-228:2**

7· . . . Q. If your group finds or investigates a  
8· complaint of compensation discrimination and finds  
9· that there's been no discrimination, is there anyone  
10· that they can go to to either reconsider those  
11· results or appeal them, other than escalating the  
12· issue to Dorian Daley?  
13· MR. PARKER: Compound. Vague and  
14· ambiguous.  
15· THE WITNESS: As far as I know, we do not  
16· have a prescribed process for employees appealing  
17· investigation results.  
18· BY MS. BREMER:  
19· . . . Q. Are you aware of any process that employees  
20· have used to appeal investigation results?  
21· MR. PARKER: Asked and answered. Vague and  
22· ambiguous.  
23· THE WITNESS: We don't have a prescribed  
24· process.  
25

**227**

1· BY MS. BREMER:  
2· . . . Q. Okay. When you say "prescribed process,"  
3· that suggests to me that there's some process.  
4· . . . A. No. I'm saying there is no process.  
5· . . . Q. Okay.  
6· . . . A. Let's be more specific. We don't have a  
7· process around appeals.  
8· That was probably a poor choice of words on  
9· my part.  
10· Maybe to clarify, employees do raise

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

11· concerns about the results of their investigations.  
12· It happens.  
13· . . . Q. And then when they do raise concerns, where  
14· does it go from there?  
15· . . . A. It depends on the case.  
16· . . . Q. Have -- are you aware of any results of  
17· investigations being overturned after employees  
18· raise concerns about the results of their  
19· investigation?  
20· . . . A. Off the top -- overturn -- I'm not sure I  
21· understand your question. Can you repeat it?  
22· . . . Q. You said that employees do raise concerns  
23· about investigations. Are you aware of any changes  
24· being made to investigative findings as a result of  
25· concerns employees raised?

**228**

1· . . . A. Not that I can recall, off the top of my  
2· head.

**233:22-25**

22· . . . Q. Have you provided any of the reports on the  
23· types of workplace investigations to Shauna  
24· Holman-Harries?  
25· . . . A. Not that I recall.

**238:2-8**

2· . . . Q. Is there ever a situation that you are  
3· aware of where there was a claim of compensation  
4· discrimination that was investigated where the  
5· result did not go to the manager of the employee who  
6· brought the complaint?  
7· . . . A. I am not aware of any specific case that  
8· meets that criteria.

**238:23-239:25**

23· . . . Q. So there was one example we saw where an  
24· employee received a pay adjustment. Are you aware  
25· of any situation where a complaint has led to a

**239**

1· bigger change? For example, a group of employees  
2· receiving a pay adjustment or any other  
3· structural -- any remedy that impacted more than

**DEPOSITION OF TAMERLANE BAXTER – RULE 30(B)(6) JULY 3, 2019**

Page/Line

4· just the complainant.  
5· MR. PARKER: Vague as to time. Vague and  
6· ambiguous. Outside the scope.  
7· THE WITNESS: Are you asking me about a  
8· specific time frame, and are we talking about at  
9· Oracle HQ?  
10· BY MS. BREMER:  
11· . . . Q. Yes. 2013 through the present at HQ.  
12· . . . A. At HQ, has there been an investigation that  
13· resulted in more than one employee being  
14· disciplined -- impacted?  
15· . . . Q. Yes.  
16· . . . A. What is the word that -- I'm not sure what  
17· the word is you used.  
18· . . . Q. A remedy impacting --  
19· . . . A. Remedy impacting --  
20· . . . Q. -- more than one employee.  
21· . . . A. -- more than one employee. Can I think --  
22· MR. PARKER: Same objections.  
23· THE WITNESS: Off the top of my head, I  
24· cannot think of a specific investigation that meets  
25· that criteria.