

**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

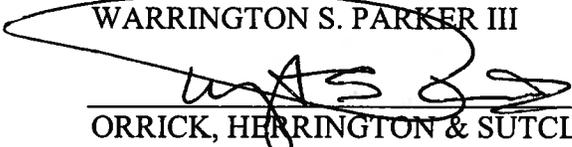
**DEPOSITION DESIGNATIONS
RE THE DEPOSITION OF
DEPOSITION OF SHAUNA
HOLMAN-HARRIES – MAY 8,
2019**

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
ERIN M. CONNELL
WARRINGTON S. PARKER III


ORRICK, HERRINGTON & SUTCLIFFE LLP

The Orrick Building

405 Howard Street

San Francisco, CA 94105-2669

Telephone: (415) 773-5700

Facsimile: (415) 773-5759

Email: grsiniscalco@orrick.com

econnell@orrick.com

wparker@orrick.com

Attorneys for Defendant

ORACLE AMERICA, INC.

RECEIVED

DEC 20 2019

Office of Administrative Law Judges
San Francisco, Ca

DEPOSITION DESIGNATIONS RE THE DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>17:23-18:11</p> <p>23. . . . Q. And then what year did you start working 24. for Oracle? 25. . . . A. In 2011.</p> <p>18</p> <p>1. . . . Q. What was your title when you started 2. working for Oracle in 2011? 3. . . . A. It was director, diversity compliance. 4. . . . Q. Have you ever had the title senior director 5. of diversity compliance at Oracle? 6. . . . A. Yes. 7. . . . Q. And when was that? 8. . . . A. I can't give you the exact date. I believe 9. it was some -- approximately -- I've had it for 10. approximately two years, but I don't remember the 11. exact date at all.</p>	
<p>31:21 – 34:5</p> <p>21 MS. BREMER: Okay. I'd like mark as 22 Exhibit Number 17 a declaration of Shauna 23 Holman-Harries, in the case of Jewett versus Oracle. 24. . . . MS. CONNELL: Which number are we on? 25. . . . THE REPORTER: 17.</p> <p>32</p> <p>1. (Marked for identification Exhibit 17.) 2. . . . MS. CONNELL: Okay. Thank you. 3. BY MS. BREMER: 4. . . . Q. Do you recognize this declaration? 5. . . . MS. CONNELL: Take your time to review it. 6. . . . THE WITNESS: Okay. 7. Yes. 8. BY MS. BREMER: 9. . . . Q. And your signature is on page 4. Correct? 10. . . . A. Yes. 11. . . . Q. And this is a declaration that you 12. signed -- 13. . . . A. Yes. 14. . . . Q. Please let me finish my question before you 15. answer. 16. . . . A. Oh, I'm sorry, I thought you did. Yes, I'm 17. sorry.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>18 · · · Q · And this is a true and correct copy of a 19 · declaration that was filed in the Jewett versus 20 · Oracle case? 21 · · · MS. CONNELL: Objection; calls for 22 · speculation. 23 · · · THE WITNESS: I don't know. I'm not aware 24 · of what was filed in the Jewett case. 25 · BY MS. BREMER:</p> <p>33</p> <p>1 · · · Q · This is a true and correct copy of the 2 · declaration that you signed on October -- 3 · · · A · Uh-huh. 4 · · · Q · -- 2nd, 2018. Correct? 5 · · · A · Yes. 6 · · · Q · And when you signed this declaration, you 7 · understood that you were signing it under penalty of 8 · perjury. Correct? 9 · · · A · Yes. 10 · · · Q · If you look at that -- look at paragraph 11 · 2 -- 12 · · · A · Yes. 13 · · · Q · -- of the declaration? 14 · · · A · Yeah. 15 · · · Q · It says that, "As senior director of 16 · diversity compliance, my responsibilities include 17 · overseeing Oracle's Office of Federal Contract 18 · Compliance Programs compliance efforts, as well as 19 · overseeing Oracle's OFCCP audits"; is that correct? 20 · · · A · Yes. 21 · · · Q · And that's true. Correct? 22 · · · A · That's true. But I'm also the coordinator, 23 · you know, for all these other efforts, yes. 24 · · · Q · So in addition to overseeing OFCCP's 25 · audit -- I'm sorry, in addition to overseeing</p> <p>34</p> <p>1 · Oracle's OFCCP audits, you also coordinate -- 2 · · · A · Collecting the data, yes. 3 · · · Q · Okay. So you're responsible for providing 4 · information requested by OFCCP? 5 · · · A · Yes.</p>	
44:23-46:24	
<p>23 · · · Q · So as I understand the process, as the</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
24. person responsible for providing information 25. requested for OFCCP audits, you -- you had a contact	
<p>45</p> 1. with the OAL group, and you would make requests for 2. data that was not standard. Correct? 3. . . . A. Yes. 4. . . . Q. And if they told you that -- if OAL told 5. you that data was not available, did you do anything 6. else to see if -- if data could be pulled or -- or if 7. it was, in fact, possible to obtain the data for 8. OFCCP? 9. . . . MS. CONNELL: Objection; incomplete 10. hypothetical and assumes facts. 11. . . . THE WITNESS: I'd have to really understand 12. what data, because each -- each set of data that was 13. pulled, we would have to try and access different 14. information. Some of it wasn't data that OAL 15. could -- that was under their -- their area. Some of 16. it we had to try and access directly. So I'd have to 17. really understand which data, which set of data. 18. BY MS. BREMER: 19. . . . Q. And what data -- when you say you'd have to 20. access data directly, what do you mean by that? 21. . . . MS. CONNELL: Objection; compound. 22. . . . THE WITNESS: Could you give me 23. specifically what type of data. 24. . . . BY MS. BREMER: 25. . . . Q. I'm asking what -- you just said sometimes	
<p>46</p> 1. . . . we have to access the data directly. I'm asking you 2. . . . what you were talking about, and what you meant when 3. . . . you said that? 4. . . . A. It could have been copies of electronic 5. . . . personnel files, where we would have to go in and do 6. . . . screenshots, and provide that information to OFCCP, 7. . . . which is a heavy manual process. And then also there 8. . . . would be applicant information where we would have to 9. . . . go in and do screenshots of each one of the pages 10. . . . that the applicant applied to in order to provide 11. . . . that information, which was a very laborious process. 12. . . . And so if you -- if you had, for instance, 13. . . . a request where you wanted to see application	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>14 ··· developers, we would have to find all those people's 15 ··· names and manually go into the system and find the 16 ··· employee's file and screenshot page after page after 17 ··· page. And I believe that in the -- in the 18 ··· information that's been provided to you, there was 19 ··· a -- some type of a time motion study that we did to 20 ··· explain that information. 21 ··· But in those instances, you know, that we 22 ··· would have to manually go in and do this, like, 23 ··· screenshot process, like page after page, which took 24 ··· a long time.</p>	
<p>46:25-47:22</p> <p>46 25 ··· Q. As the diversity compliance -- as the</p> <p>47 1 · director of diversity compliance at Oracle that was 2 · responsible for providing information requested by 3 · OFCCP, how did you determine that it was necessary to 4 · take screenshots in order to provide personnel 5 · information to OFCCP? 6 ··· MS. CONNELL: Objection; misstates her 7 · testimony, compound. 8 ··· THE WITNESS: I didn't make that 9 · determination. I was told that that's what -- that's 10 · the way we had to access that information. 11 · BY MS. BREMER: 12 ··· Q. And who told you that? 13 ··· A. The first person that made me aware of it 14 · was Christina Solis. 15 ··· Q. And Christina Solis was -- 16 ··· A. The employee that was there when I started 17 · working for Oracle. 18 ··· Q. And she was -- 19 ··· A. She was a compliance analyst at that time 20 · that she told me. 21 ··· Q. So she -- she reported to you? 22 ··· A. Yes.</p>	
<p>49:13-52:10</p> <p>49 13 ··· Q. Okay. So if you -- did you ever question</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>14 · any information that when -- when Christina Solis 15 · told you that the only way to provide electronic 16 · personnel information to OFCCP was by taking 17 · screenshots, did you -- did you question that 18 · information? 19 · . . . A · Yes. 20 · . . . Q · And what did you do to convince yourself 21 · that that was the -- did you convince yourself that 22 · that was the only way to provide that information to 23 · OFCCP? 24 · . . . A · At that time, yes. I -- yes. 25 · . . . Q · And what did you do to convince yourself</p>	
<p>50</p>	
<p>1 · that that was the case? 2 · . . . A · I asked a person that worked for Oracle 3 · that had pulled different data if there was another 4 · way. And I believe they were the person that 5 · provided, at that time, and I could be wrong, but I 6 · believe at that time they were the person that 7 · provided access to that data, so you could -- you 8 · could go in and review the applicant files. 9 · . . . Q · And who -- what department was that person 10 · in? 11 · . . . A · They were -- I don't know what the name of 12 · the department was at that time. 13 · . . . Q · Okay. Who was that person that you -- that 14 · you talked to? 15 · . . . A · Arthur Roscoe. 16 · . . . Q · And what was Arthur Roscoe's title? 17 · . . . A · I don't know exactly. He was a manager at 18 · that time, but I don't know what his title was. 19 · . . . Q · Was he in OAL labs or -- 20 · . . . A · No. 21 · . . . Q · -- or OAL? 22 · . . . A · No. He -- OAL was like the programmers. 23 · He was -- he was in an HR department that -- that -- 24 · in order to have access to the information, it was a 25 · privilege that was received from this HR team, and I</p>	<p>Errata: Orozco</p>
<p>51</p>	
<p>1 · think it's called HR Services now, some kind of 2 · thing, but I'm not certain. And I'm not very good 3 · with titles of departments and remembering titles of</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>4 · people, so -- but he was -- he was the manager of the 5 · person, so if I needed to have permission to go in, 6 · because not every person has permission to be able to 7 · go into the applications, right, so he would grant 8 · permission for that. 9 · And -- and, yes, I questioned it, and I was 10 · told that -- that we had -- that the way we produce 11 · that data were in -- in screenshots, and even some of 12 · the data in those files it was -- it wasn't in 13 · electronic format. It was -- some of it was in, 14 · like, PDF files, and that type of thing. So it made 15 · sense, you know, once I really started looking at the 16 · data and -- and then talked to Arthur. 17 · . . . Q. Okay. So the person that you spoke to 18 · find out how to provide personnel files to OFCCP was 19 · in the HR department? 20 · . . . A. Yes. 21 · . . . Q. Did you also talk to people in OAL about 22 · providing personnel data to OFCCP? 23 · . . . A. To copy those files, the personnel files? 24 · No. I talked to Arthur and he said that this was the 25 · only way that they could be retrieved.</p> <p>52</p> <p>1 · . . . Q. Okay. And -- and what I'm asking is, is 2 · the only person that you talked to in determining 3 · that personnel files had to be screenshotted to be 4 · provided to OFCCP besides Christina Solis, who 5 · reported to you, was the HR department? 6 · . . . A. I can't recall if there were any others. 7 · The one that stands out in my mind is Arthur, because 8 · he was the -- he owned that particular -- he granted 9 · permission for that database, so he was most familiar 10 · with it, in my mind.</p>	
<p>56:8-57:10</p> <p>56</p> <p>8 · . . . Q. Are -- are you -- do you consider it your 9 · responsibility to oversee Oracle's compliance with 10 · the requirements of the OFCCP regulations? 11 · . . . MS. CONNELL: Objection; vague, calls for a 12 · legal conclusion, compound. 13 · . . . THE WITNESS: If you could -- but in my</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>14· ·mind, there are different types of records at -- at 15· ·Oracle. So I would say that I'm -- I'm responsible 16· ·for reporting out based on those records. But there 17· ·are different groups at Oracle that are responsible 18· ·for overseeing different kinds of records that you 19· ·may request that have direct responsibility for that. 20· ·Mine is reporting out on different records, 21· ·so if you could be clearer on which records, I can 22· ·tell you if that's -- that -- where that falls, but I 23· ·can't -- I can't answer that question without having 24· ·it be a little bit more specific. 25· ·BY MS. BREMER:</p> <p>57</p> <p>1· · · · Q· Are there any OFCCP compliance efforts that 2· ·you're not responsible for -- 3· · · · MS. CONNELL: Objection; misstates her 4· ·testimony -- 5· ·BY MS. BREMER: 6· · · · Q· -- for Oracle? 7· · · · MS. CONNELL: -- vague, calls for a legal 8· ·conclusion. 9· · · · THE WITNESS: That would depend on what 10· ·you're requesting.</p>	
<p>57:12 – 62:24</p> <p>12· · · · Q· As -- do you oversee the -- Oracle's 13· ·Affirm -- Affirmative Action Plan? 14· · · · A· Yes. 15· · · · Q· And do you oversee the affirmative action 16· ·language in Oracle's contracts? 17· · · · MS. CONNELL: Objection; vague. 18· · · · THE WITNESS: On -- the language in their 19· ·contracts? With what -- there are different areas 20· ·with regard to the language in their contracts, so it 21· ·would be with -- with what type of language are you 22· ·talking about, and -- and that type of thing. 23· · · · MS. BREMER: All right. Okay. Let me mark 24· ·as Exhibit 18. 25· · · · THE WITNESS: Okay.</p> <p>58</p> <p>1· · · · MS. BREMER: This is a copy of the</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>2· regulations 41 CFR Section 60-1.4. 3· (Marked for identification Exhibit 18.) 4· BY MS. BREMER: 5· . . . Q· Are you familiar with these regulations? 6· . . . A· I'm familiar with the regulations, yes. 7· . . . Q· Okay. So Sec -- Section 60-1.4 is the 8· equal opportunity clause, and if you look at 9· subsection (a), it says, "During the performance of 10· this contract, the contractor agrees as follows: 11· One, the contractor will not discriminate against any 12· employee or applicant for employment because of race, 13· color, religion, sex, sexual orientation, gender 14· identity, or national origin. The contractor will 15· take affirmative action to ensure that applicants are 16· employed, and that employees are treated during 17· employment without regard to their race, color, 18· religion, sex, sexual orientation, gender identity, 19· or national origin. 20· "Such action shall include, but not limited 21· to the following employment: Upgrading, demotion, or 22· transfer recruitment, or recruitment advertising, 23· layoff or termination, rates of pay or other forms of 24· compensation, the selection for training, including 25· apprenticeship."</p>	
<p>59 1· Is -- is this -- do you understand that 2· this language that I just read is in Oracle's 3· contracts with the government? 4· . . . MS. CONNELL: Objection; calls for a legal 5· conclusion and calls for speculation. 6· . . . THE WITNESS: Yeah, I would have to -- to 7· see what the contract looked like with the 8· government, I -- I don't -- 9· BY MS. BREMER: 10· . . . Q· Have you seen what contracts with the 11· federal government look like? 12· . . . MS. CONNELL: Objection; vague. 13· . . . THE REPORTER: Ms. Connell, you're rubbing 14· your microphone. 15· . . . MS. CONNELL: Oh. 16· . . . THE WITNESS: I've only seen snippets of 17· information for contracts, but I haven't seen, like 18· an actual contract with the government, an actual one</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
19 · with the government. I've seen little snippets, like 20 · is this language okay. And that's, you know, in a 21 · contract. So -- but it would be -- my team looks at, 22 · like, little clauses that are going to go, this is 23 · related to affirmative action, or something like 24 · that, is this snippet with regard to employment 25 · processes, and some of it, you know, anything to do	
60	
1 · with affirmative action, is this snippet okay? Is 2 · this language okay? And so that would be the part 3 · that I would -- my team would look at.	
4 · BY MS. BREMER:	
5 · · · Q. And have you looked at equal opportunity 6 · clauses to -- that are in -- snippets that are to be 7 · included in federal contracts?	
8 · · · MS. CONNELL: Objection; vague.	
9 · · · THE WITNESS: I've looked at them in regard 10 · to government contracts. I would -- I don't recall 11 · which contracts, but I've looked at snippets in 12 · regard to government contracts.	
13 · BY MS. BREMER:	
14 · · · Q. And is it your understanding that the 15 · language contained in 41 CFR Section 60-1.4(a) 16 · subsection (1) is in Oracle's federal -- or contracts 17 · with the federal government?	
18 · · · MS. CONNELL: Objection; calls for	
19 · speculation, assumes facts.	
20 · · · THE WITNESS: Yeah, I would have to look at 21 · the contract and review the federal -- the contracts 22 · in front of me, in order to be able to answer that 23 · question.	
24 · BY MS. BREMER:	
25 · · · Q. So you don't know if Oracle's complying	
61	
1 · with this provision or not?	
2 · · · MS. CONNELL: Objection; misstates her	
3 · testimony and calls for a legal conclusion.	
4 · · · THE WITNESS: I can't give you a conclusion 5 · on that, because I haven't seen the contract. I	
6 · mean --	
7 · BY MS. BREMER:	
8 · · · Q. So as the person in charge of OFCCP	
9 · compliance for Oracle, you've not -- you don't know	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>10 · one way or the other whether the language in 41 11 · CFR Section 60 point -- dash 1.4(a)(1) is in Oracle's 12 · contracts with the federal government? 13 · . . . MS. CONNELL: Objection; misstates her 14 · testimony. She never said she was in charge of OFCCP 15 · compliance. It also calls for a legal conclusion, 16 · assumes facts, and is not -- calls for a legal 17 · conclusion and is argumentative. 18 · . . . THE WITNESS: I didn't -- I didn't say 19 · that. I said that I would have to review a contract 20 · in front of me to be able to specifically state today 21 · what -- what is on that contract. 22 · BY MS. BREMER: 23 · . . . Q. So right now, sitting here today, you don't 24 · know one way or the other whether the equal 25 · opportunity clause is in Oracle's contracts with the</p> <p>62</p> <p>1 · federal government? 2 · . . . MS. CONNELL: Objection; assumes facts, 3 · calls for speculation. 4 · . . . THE WITNESS: I would assume so. I've seen 5 · it in some of the contracts that Oracle's provided, 6 · but what specific -- which contract you're talking 7 · about, I would want to see the contract. 8 · BY MS. BREMER: 9 · . . . Q. Do you know how much money Oracle's 10 · contracts with the federal government are worth? 11 · . . . A. No. 12 · . . . Q. Is it your understanding that in Oracle's 13 · contracts with the federal government, Oracle agrees 14 · not to discriminate against employees because of race 15 · or gender? 16 · . . . A. Yes. 17 · . . . Q. Is it your -- your understanding that in 18 · Oracle's contracts with the federal government Oracle 19 · agrees to take affirmative action to ensure that 20 · employees are treated during employment without 21 · regard to their race or sex? 22 · . . . MS. CONNELL: Objection; calls for a legal 23 · conclusion. 24 · . . . THE WITNESS: That's my understanding.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>68:18-69:7</p> <p>68 18 · · · · Q· Oracle’s required to develop an affirmative 19 · action program annually. Right? 20 · · · · A· Yes. 21 · · · · Q· And Oracle conducts affirmative action 22 · programs by location? 23 · · · · MS. CONNELL: Objection; vague. 24 · · · · THE WITNESS: Do you want to be a little 25 · more specific on what do you mean by “location”?</p> <p>69 1 · ·BY MS. BREMER: 2 · · · · Q· Oracle’s affirmative action plans include 3 · employees assigned to work at a location more than 50 4 · percent of their time. Correct? 5 · · · · A· Yeah -- 6 · · · · MS. CONNELL: Objection; vague. 7 · · · · THE WITNESS: Yes.</p>	
<p>70:8-17</p> <p>8 · · · · Q· And who prepares the affirmative action 9 · program? 10 · · · · A· My team. 11 · · · · Q· And has that changed between 2013 and the 12 · present? 13 · · · · A· Has what changed? 14 · · · · Q· Who prepares the affirmative action 15 · programs. 16 · · · · A· No, that -- as far as who prepares the 17 · affirmative action programs, that’s stayed the same.</p>	
<p>71:2-72:10</p> <p>2 · · · · MS. BREMER: 19. I’m going to mark as 3 · Exhibit Number 19, a Declaration of Shauna 4 · Holman-Harries in Support of Defendants’ Motion for 5 · Summary Judgment or in the Alternative to Stay the 6 · Proceedings for Failure to Conciliate in OFCCP Versus 7 · Oracle. 8 · (Marked for identification Exhibit 19.) 9 · · · · THE WITNESS: Is this one mine? 10 · · · · THE REPORTER: For now.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>11 · · · · THE WITNESS: For now. Okay. I'll give it 12 · · back. 13 · · BY MS. BREMER: 14 · · · · Q. Is this your signature on page 3 of -- 15 · · · · A. Yes. 16 · · · · Q. -- the declaration? 17 · · And you signed this declaration on or about 18 · · April 20th, 2017? 19 · · · · A. Yes. 20 · · · · Q. If you look at Exhibit A to your 21 · · declaration, that's the scheduling letter. Correct? 22 · · · · A. It -- I don't see it marked A, but yes, 23 · · that's -- at the bottom. 24 · · · · Q. It's at the bottom. 25 · · · · A. Never mind.</p> <p>72</p> <p>1 · · Yes. 2 · · · · Q. And did you receive this scheduling letter 3 · · from OFCCP on or about September 24th, 2014? 4 · · · · A. I didn't date stamp it. I believe it was 5 · · sent to -- somebody else sent it to me, but on or 6 · · about, yes. 7 · · · · Q. And this is a true and correct copy, to 8 · · your knowledge, of the scheduling letter that was 9 · · sent? 10 · · · · A. To my -- to my knowledge.</p>	
<p>72:14-73:10</p> <p>14 · · (Marked for identification Exhibit 20.) 15 · · · · THE WITNESS: Oh, it's a different -- okay. 16 · · BY MS. BREMER: 17 · · · · Q. Is this a true and correct e-mail that you 18 · · sent to -- I'm sorry, is this -- is this a true and 19 · · correct copy of a series of e-mails, dated October 20 · · 28th, 2014 to -- October 28th, 2014, between you and 21 · · Hea Jung -- 22 · · (Interruption in the proceedings.) 23 · · · · THE WITNESS: I'm glad she's helping. 24 · · · · MS. BREMER: I wish she could help too. 25 · · · · THE WITNESS: Okay. It looks like it, yes.</p> <p>73</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>1 · BY MS. BREMER: 2 · · · · Q· And it's -- the e-mail at the bottom of the 3 · page from you says, "Enclosed please find Oracle 4 · Corporation's 2014 Affirmative Action Plan." 5 · · · · A· Uh-huh. 6 · · · · Q· Correct? 7 · · · · A· Correct. 8 · · · · Q· So in October of 2014, you sent Oracle's 9 · 2014 affirmative action program to OFCCP? 10 · · · · A· Yes.</p>	
<p>73:11-80:21</p> <p>11 · · · · MS. BREMER: Okay. I'd like to mark as 12 · Exhibit 21, a document called Affirmative Action Plan 13 · for Oracle America January 2014. It's Bates numbered 14 · ORACLE_HQCA 4999 through 5196. 15 · (Marked for identification Exhibit 21.) 16 · · · · THE WITNESS: Thank you. 17 · BY MS. BREMER: 18 · · · · Q· Is this a true and correct copy of the 19 · Affirmative Action Plan that you sent to OFCCP on or 20 · about October 28th, 2014? 21 · · · · MS. CONNELL: Take your time to review it. 22 · For the record, I'll designate this exhibit 23 · as confidential, as it's got a confidential 24 · designation. 25 · · · · THE WITNESS: Back to the question?</p> <p>74</p> <p>1 · Since that was five minutes ago. 2 · · · · MS. BREMER: Can you state the question 3 · again? 4 · (Record read.) 5 · · · · THE WITNESS: It looks like it. 6 · BY MS. BREMER: 7 · · · · Q· And looking at page 5000, you are listed as 8 · the individual responsible for plan implementation. 9 · Correct? 10 · · · · A· I'm trying to -- you said 5000 -- oh, okay. 11 · Yeah. 12 · · · · Q· And Safra Catz is also listed. Correct? 13 · · · · A· Yes. 14 · · · · Q· What were Safra Catz's responsibilities 15 · regarding Oracle's Affirmative Action Plan?</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>16 · · · MS. CONNELL: Objection; vague, calls for 17 · speculation. 18 · · · THE WITNESS: Can you be a little bit more 19 · specific? 20 · BY MS. BREMER: 21 · · · Q: What is your knowledge of what Safra Catz's 22 · responsibilities are with respect to Oracle's 23 · Affirmative Action Plan? 24 · · · A: She signs off on policies and over -- and 25 · that Oracle -- that ensure that Oracle is an equal</p> <p>75 1 · employment opportunity employer, in compliance with 2 · Oracle's Affirmative Action Plan. Her communications 3 · are -- they go to all of the locations with regard to 4 · this. 5 · · · Q: Are you aware of any other responsibilities 6 · that Safra Catz has with respect to Oracle's 7 · Affirmative Action Plan? 8 · · · MS. CONNELL: Objection; calls for 9 · speculation. 10 · · · THE WITNESS: I don't -- I can't say that I 11 · know of everything that she does. But this is -- 12 · this is what I'm aware of that she does. 13 · BY MS. BREMER: 14 · · · Q: And when communications are sent from Safra 15 · Catz to Oracle's locations regarding equal employment 16 · opportunity, you receive copies of those. Correct? 17 · · · A: Yes. She sent -- her office sends it to me 18 · and then I send it out, yes. 19 · · · Q: Are you involved in preparing the 20 · communications that's sent under Safra Catz's 21 · signature? 22 · · · A: The communication is not sent out under her 23 · signature, the -- the policy is. 24 · · · Q: Okay. Are you involved in preparing the 25 · policies that -- for equal employment opportunity</p> <p>76 1 · that are sent out by Safra Catz? 2 · · · A: Parts of it. 3 · · · Q: And what parts are you responsible for? 4 · · · A: I oversee. I overlook -- I don't oversee, 5 · but I over -- I overlook -- I look over the policy to 6 · make sure that each year that it's been updated for</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>7· any kind of legislative changes or regulation 8· changes. 9· . . . Q· And does the policy -- are you referring to 10· one or more policies? 11· . . . A· I'm just referring to this one, for -- for 12· federal purposes, yes. 13· . . . Q· And what is the name of that policy? 14· . . . A· Well, it's in here. It's on page -- she 15· signed it. Oracle's "Equal Employment Opportunity 16· Policy Statement." And this is what goes to each one 17· of the locations. It's on page 5 of the -- in my 18· numbering system. 19· . . . Q· Okay. The policy statement? 20· . . . A· Yes. 21· . . . Q· Okay. So that's Bates numbered 5004. 22· And so your -- you're involved in ensuring 23· that the policy statement included in Oracle's 24· Affirmative Action Plan is updated for changes in the 25· legislation regulations?</p> <p>77</p> <p>1· . . . A· Yes, I'm involved in it. 2· . . . Q· At the bottom of the policy statement, it 3· says, "Oracle has appointed the director, diversity 4· compliance to manage the equal employment opportunity 5· function." 6· Is that -- is that you? Is that referring 7· to you? 8· . . . A· As -- from the perspective of affirmative 9· action. 10· . . . Q· So that's yes? 11· . . . MS. CONNELL: Objection; misstates her 12· testimony. 13· . . . THE WITNESS: From the -- from the 14· perspective of affirmative action, it would be, yes. 15· BY MS. BREMER: 16· . . . Q· But the director of diversity compliance 17· referred to in Safra Catz's policy statement is 18· referring to you. Correct? 19· . . . A· Yes. 20· . . . Q· And it says, "These responsibilities should 21· include monitoring all equal employment opportunity 22· activities and reporting the effectiveness of this 23· Affirmative Action Plan, as required by federal,</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>24 ·state, and local agencies.” Correct? 25 · · · MS. CONNELL: Objection; the document</p> <p>78 1 ·speaks for itself. 2 · · · THE WITNESS: According to the document, 3 ·yes. 4 ·BY MS. BREMER: 5 · · · Q· And so you’re responsible for those 6 ·functions. Correct? 7 · · · A· With regard to affirmative action. 8 · · · Q· And did you hold this responsibility from 9 ·2013 to the present? 10 · · · A· Yes. 11 · · · Q· Looking at the next page, “Responsibility 12 ·for Implementation.” At the top of the page it says, 13 · “The director of diversity compliance administers the 14 ·Affirmative Action Plan.” 15 ·Again, that’s referring you. Correct? 16 · · · A· Yes. 17 · · · Q· Under the implementation guidelines, 18 ·there’s a list of tasks. Are you responsible for the 19 ·tasks listed on page 6 of Oracle’s Affirmative Action 20 ·Plan? 21 · · · MS. CONNELL: Objection; vague. 22 · · · THE WITNESS: I’m going to have to review 23 ·this. 24 ·BY MS. BREMER: 25 · · · Q· Okay.</p>	
<p>79 1 · · · A· Okay. 2 · · · MS. CONNELL: It also misstates the 3 ·document in saying that she’s solely responsible for 4 ·these tasks. 5 · · · THE WITNESS: Okay. I’m -- I’m responsible 6 ·for coordinating -- we’re getting into coordinating, 7 ·because I’m not solely responsible for all these 8 ·tasks. 9 ·BY MS. BREMER: 10 · · · Q· But you’re at least responsible for 11 ·coordinating the tasks listed under the 12 ·implementation guidelines? 13 · · · A· Coordinating. It says -- it’s -- it’s 14 ·clear as to what the document says.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>15 · · · · Q· That you may coordinate -- 16 · · · · A· Yes. 17 · · · · Q· -- with others at Oracle? 18 · · · · A· Yes. 19 · · · · Q· But you are -- you're in charge of ensuring 20 · that the Affirmative Action Plan is implemented? 21 · · · · A· I'm in charge of administering the 22 · Affirmative Action Plan. 23 · · · · Q· Okay. Looking at the -- the third task, 24 · "Implementing affirmative action program and ensuring 25 · appropriate internal and external dissemination of</p> <p>80 1 · the plan and policies." 2 · Do you see that? 3 · · · · A· Yes. 4 · · · · Q· Who is the -- who is Oracle's Affirmative 5 · Action Plan disseminated to? 6 · · · · A· Our plan is disseminated to all managers 7 · with employees in the U.S. and Puerto Rico. We -- 8 · the plan is posted internally for our managers to be 9 · able to access. In addition to that -- and also -- 10 · and any employee to be able to access. 11 · In addition to that we -- -- we send out 12 · goals to all of our managers at a minimum of one time 13 · annually, sometimes more. If we have a location -- a 14 · large amount of location additions. And we also 15 · disseminate this to our recruiters. The goals -- the 16 · goals and -- and -- and so they know what the goals 17 · are for compliance with our affirmative action 18 · obligations. And -- and provide them with a list of 19 · where those goals are. 20 · Does that -- is that -- I don't know. Is 21 · that -- so that's my answer.</p>	<p>Errata: A. The narrative portion of the plan is disseminated to all managers with employees in the U.S. and Puerto Rico. The narrative portion of the plan is also posted internally for our managers and employees to be able to access.</p>
<p>80:25-81:11</p> <p>80 25 · · · · Q· What do you do to assist managers with</p> <p>81 1 · affirmative action/EEO challenges? 2 · · · · A· That's -- that's where the coordination of 3 · efforts comes in. The person -- you've got your 4 · HR business partners that work directly with</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>5· managers, but we also have an EEO, a senior director 6· that oversees EEO that does a lot of the 7· investigation. And -- and so it's not just me. So I 8· would maybe point out some affirmative action areas, 9· and there would be other people that would go in 10· depending on what -- what the issue is that they 11· would need to be assisted with.</p>	
<p>82:10-85:3</p> <p>82 10· . . . Q· With respect to affirmative action, what do 11· you do to assist managers with affirmative action 12· challenges? 13· . . . MS. CONNELL: Objection; asked and 14· answered. 15· . . . THE WITNESS: I work through another 16· director. 17· BY MS. BREMER: 18· . . . Q· And who is that? 19· . . . A· Tracy Wade. 20· . . . Q· And what's Tracy Wade's title? 21· . . . A· She's the director of diversity and 22· inclusion. 23· . . . Q· And is she in the HR department? 24· . . . A· Yes. 25· . . . Q· Who does she report to?</p> <p>83 1· . . . A· Vickie Thrasher. 2· . . . Q· How long has Tracy Wade worked for Oracle? 3· . . . A· I -- I don't know. 4· . . . Q· Has she been in the role of director of 5· diversity and inclusion since 2013? 6· . . . A· No. 7· . . . Q· Was there someone else who was in that role 8· before Tracy Wade? 9· . . . A· Yes. 10· . . . Q· And who is that? 11· . . . A· Barbara Williams Hardy. 12· . . . Q· Is the focus of the director of diversity 13· and inclusion on recruiting and hiring or something 14· more than that? 15· . . . MS. CONNELL: Objection; calls for</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>16 · speculation. 17 · · · · THE WITNESS: She's -- she's in HR. She's 18 · not -- she doesn't do recruiting -- 19 · BY MS. BREMER: 20 · · · · Q: Okay. 21 · · · · A: -- and that type of thing; she talks to 22 · them about diversity within, you know, the managers, 23 · help them within their -- their workforce. Beyond 24 · that high level, I don't -- I don't have all the 25 · details of her job. But she basically works with</p>	
<p>84</p>	
<p>1 · managers in increasing the diversity in their 2 · workforce, and some strategies that they could -- 3 · they could utilize. 4 · · · · Q: Okay. And do you directly do anything to 5 · assist managers with affirmative action challenges? 6 · · · · MS. CONNELL: Objection; vague. 7 · · · · THE WITNESS: Can you be a little bit more 8 · specific on maybe some -- what you're referring to? 9 · BY MS. BREMER: 10 · · · · Q: Well, this says that I'm looking back at 11 · the implementation -- 12 · · · · A: Okay. 13 · · · · Q: -- guidelines -- 14 · · · · A: Okay. 15 · · · · Q: -- and you -- you indicated that in 16 · assisting managers with affirmative action 17 · challenges, you worked through Tracy Wade. I'm 18 · wondering if there's anything that you do yourself, 19 · directly, to assist managers with affirmative action? 20 · · · · MS. CONNELL: Objection; misstates her 21 · prior testimony, and vague. 22 · · · · THE WITNESS: I'm included in meetings 23 · sometimes with Tracy and a leader. But most of my 24 · work is done through Tracy, and is given to -- given 25 · to -- like if she has some kind of -- if there's an</p>	
<p>85</p>	
<p>1 · issue that comes up, it would be given to Tracy to 2 · help her have a strategy with the manager directly, 3 · so I'm kind of behind the scenes.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>87:15-89:9</p> <p>15 · · · · Q · Okay. Okay. Turning back to the 16 · Affirmative Action Plan, Exhibit 21. Looking back at 17 · the policy statement by Safra Catz, on page 5, it 18 · indicates that the responsibilities of the director, 19 · diversity compliance includes monitoring all equal 20 · employment opportunity activities. 21 · What did you do to monitor equal employment 22 · opportunity activities? 23 · · · · A · Mine was in relationship to affirmative 24 · action, and we -- we talked about -- we sent out 25 · goals to managers. We talk about the shortage of --</p>	
<p>88</p> <p>1 · of utilization in different areas where there's a 2 · shortfall. And make them aware of -- of those 3 · shortfalls. We also work pretty closely with the 4 · recruiting folks, as far as making them aware of 5 · different goals. As far as working with managers, I 6 · think that what you just said as far as the 7 · affirmative action training, we have thousands and 8 · thousands of managers at Oracle, so I'm making them 9 · aware of the affirmative action training and making 10 · that a requirement for their jobs to take it would be 11 · another avenue there. 12 · Also, in trying to assist the OFCCP in the 13 · program to get people to self-identify as protected 14 · vets and individuals with disabilities. We also have 15 · put together programs to make employees know how a -- 16 · aware -- to be aware of that, and when we initially 17 · started serving our workforce after -- after that, 18 · we -- we -- in the very first survey after the 19 · regulations went into place, I believe we had some 20 · manager training too, in case employees had questions 21 · on it, since it was something a little bit different. 22 · And basically those type of support functions. 23 · But I really want to stress that I'm only 24 · one person, and Oracle has around 50,000 U.S. 25 · employees, so I can -- I can communicate with other</p>	
<p>89</p> <p>1 · people, as I described with Tracy, who works a little 2 · bit hand-on-hand with the top leaders within the 3 · organization, but I -- I personally cannot make</p>	<p>Errata: hand-in-hand</p>

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>4 · contact with each and every manager there. 5 · So that's -- that's my role. Those are the 6 · things that -- that -- that we did at that time. 7 · . . . Q. And when you say "at that time," you're 8 · talking about in 2014? 9 · . . . A. Yes.</p>	
<p>89:10-90:13</p> <p>89 10 · . . . Q. Have you -- in 2014, was there anything 11 · else that you did as director of diversity and 12 · compliance to monitor equal employment opportunity 13 · activities? 14 · . . . A. To monitor -- it's -- I mean, we -- a lot 15 · of the -- it wasn't -- it was all the -- all 16 · employment processes' activities and the HR business 17 · partners, when there is a person that is terminated 18 · or any individual that's hired, promoted. But as 19 · far -- but specifically with the hires and 20 · promotions, they review all hiring and promotional 21 · decisions with regard to, you know, making sure 22 · everything, I believe, or, you know, with whatever 23 · they do to -- and attest to and sign off on it. So 24 · they actually monitor each -- each employment action. 25 · . . . Q. Who -- who in HR monitors each employment 90 1 · action? 2 · . . . A. We have hundreds of -- we have a lot of 3 · HR representatives and business partners that sign 4 · off on -- on documents when someone is terminated -- 5 · or not term -- well, terminated, but the ones I'm 6 · thinking of in particular are on the work flows that 7 · sign off on it. 8 · But I'm not totally clear on exactly what 9 · they look for, because I don't work -- you know, I -- 10 · I don't supervise that group, but -- or I'm not one 11 · of them, but -- but I know that they sign off on all 12 · those documents. And review every one, every 13 · transaction that's made.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>91:10-23</p> <p>10 · · · · Q · Do you provide any training to the 11 · HR representatives and business partners? 12 · · · · A · Yes. They also are required to take the 13 · affirmative action training. 14 · · · · Q · And that's once every two years? 15 · · · · A · Yes. And they also, because -- they also 16 · will contact me if they have a question. And I'll 17 · help them resolve those issues. 18 · · · · Q · So if an HR representative or business 19 · partner has a question regarding affirmative action, 20 · they can contact you -- 21 · · · · A · Yes. 22 · · · · Q · -- to talk about it? 23 · · · · A · Yes.</p>	
<p>92:9-95:24</p> <p>92</p> <p>9 · · · · Q · Other -- other than the affirmative action 10 · training that the HR representatives and business 11 · partners take every two years, do you do anything 12 · else proactively to ensure that they are complying 13 · with Oracle's Affirmative Action Plan? 14 · · · · A · In 2014? 15 · · · · Q · In 2013 through the present. 16 · · · · A · Okay. In 2014, that's what we did. 17 · However, now, if we look at -- we do a high-level 18 · overview of a lot of the work flows that come in, 19 · what I just described to you as being signed off on, 20 · and we -- we take a look at those -- those work 21 · flows. If, let's say for instance, it's just a 22 · reasonable check with it, but let's say you've got 23 · some group that's unfavored, right, and -- but the 24 · applicant pool for that unfavored group, and it's not 25 · statistically based at all, it was like three or more</p> <p>93</p> <p>1 · people greater than the -- or the unfavored group was 2 · three or more people greater than the favored group, 3 · then -- and -- and someone from the favored group got 4 · the job, and this would be, you know, by requisition, 5 · then we would go ahead and pull the work flows and</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>6· check and see if the promotion or the hiring 7· decision, you know, if -- if the rationale for the 8· decision that was made was on the work flow. 9· If the work flow was missing anything, then 10· I would contact the HR business partner that signed 11· the document directly and ask them for more 12· information. 13· . . . Q· When did the procedure of -- now, when you 14· say that you -- when you do a high-level overview of 15· work flows, is that you personally or someone on your 16· team? 17· . . . A· Several of us. The -- it's -- we're 18· talking about thousands of transactions. And so I 19· have a person on my team that oversees the initial 20· process and the data-gathering process, and then I 21· will look at the work flows once we narrow it down, 22· and -- and determine if any work flow that we would 23· question needs to be looked in a little further, and 24· make sure that those work flows are attached for the 25· specific area we're looking to, you know, with the –</p>	
<p>94 1· with the groups -- with the hiring decisions or the 2· promotional decisions that we're looking into. 3· . . . Q· And when did Oracle begin this process of 4· having the senior director of diversity compliance 5· review the work flows? 6· . . . MS. CONNELL: Objection; misstates her 7· testimony, assumes facts. 8· . . . THE WITNESS: The practice -- that's a 9· second-level review, because there's two -- there's 10· always been a review of all -- all of these 11· transactions and these employment processes with 12· regard to hires, promotions, and terms by the HR 13· business partner. The second level of review started 14· with the transactions in 2017. 15· BY MS. BREMER: 16· . . . Q· Okay. So the second-level review is the 17· review by the senior director of diversity 18· compliance? 19· . . . A· It's not just me, though; it's the whole 20· team. 21· . . . Q· It's -- the second-level review is a review 22· by your compliance team?</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>23. . . . A. Yes.</p> <p>24. . . . Q. And that started in 2017?</p> <p>25. . . . A. Yes.</p> <p>95</p> <p>1. . . . Q. And what work flows does the compliance</p> <p>2. group now review?</p> <p>3. . . . A. The ones I've just described to you.</p> <p>4. . . . Q. Promotions?</p> <p>5. . . . A. Promotions and -- and hires. Terminations,</p> <p>6. if anything looks, you know, off or -- or there's</p> <p>7. anything that would indicate that we would need to</p> <p>8. look at, we also will go in and look in the</p> <p>9. electronic HR file and review the termination and the</p> <p>10. notes for the termination.</p> <p>11. And that's the second-level review. This</p> <p>12. is after everything's been entered by the HR business</p> <p>13. partner.</p> <p>14. . . . Q. And so the HR --</p> <p>15. . . . A. Or it could be a representative, too. I</p> <p>16. keep reverting to that, but I want to correct the</p> <p>17. record in stating that the HR -- the representative</p> <p>18. from the HR department.</p> <p>19. . . . Q. Okay. So an HR representative has always</p> <p>20. reviewed the work flows for promotions, hires,</p> <p>21. terminations, since 2013?</p> <p>22. . . . A. I can't say always. I think that's too</p> <p>23. absolute, but to my knowledge, that is one of their</p> <p>24. job functions.</p>	
<p>96:12-97:16</p> <p>12. . . . Q. Are -- since 2017, does the second-level</p> <p>13. review conducted by your compliance group include</p> <p>14. review of compensation decisions?</p> <p>15. . . . A. No.</p> <p>16. . . . Q. And that doesn't include any compensation</p> <p>17. decisions in terms of offers, initial compensation</p> <p>18. offers, or salary increases or bonuses or equity?</p> <p>19. . . . A. We have a compensation department that</p> <p>20. reviews all of that, and it's a very inclusive</p> <p>21. process. And it starts from the moment that -- well,</p> <p>22. they don't really review; I think I misspoke there.</p> <p>23. But we have a very comprehensive compensation system</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>24· in which managers are heavily involved. Oracle's a 25· very entrepreneurial environment, and with that a lot</p> <p>97</p> <p>1· of responsibility goes to managers from the moment 2· that someone comes in to Oracle to -- you know, 3· throughout the employment process. 4· So as far as starting pay, that decision is 5· made by the hiring manager. The HR business partner 6· can provide input, as far as equity with regard to 7· that, but the H -- but the manager that's hiring the 8· person is really the person that has the final say-so 9· on that. And what sign-off process the HR business 10· partner or HR representative, you know, et cetera, 11· does with that, I don't know. 12· And it goes all the way, you know, through 13· our -- if we have a review for an increase called the 14· focal review, we look -- they look at -- the manager 15· looks at compensation for their work group and tries 16· to ensure equity. I think, actually, you know what I</p>	
<p>97:17-100:22</p> <p>17· think, I think even in the documents we provided you, 18· I believe it even talks about that it's the manager's 19· responsibility in ensuring equity. 20· And I believe there was something that we 21· submitted to you that -- that had that in there. So 22· you might review it. It was a slide. A slide 23· training program. And they go -- bonuses, all of 24· that rests with the manager. 25· · · · Q· So it's your understanding that ensuring</p> <p>98</p> <p>1· equity and fairness with respect to compensation is 2· the responsibility of -- of the managers? 3· · · · A· Yes. 4· · · · Q· And it's not the responsibility of your 5· compliance group? 6· · · · A· Everything rests with the managers. 7· There's so many managers, as I said earlier, I can't 8· ensure what every -- every person is doing. It's -- 9· it's a very entrepreneurial environment to where 10· managers and -- generally, they get a budget and 11· they're responsible for how it's distributed and</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
12· they're trained on -- and in the training it says 13· that they're supposed to consider, you know, it being 14· equitable and fair. I don't know if the word "fair" 15· is in there, but I know "equity" is, and that's their 16· responsibility, yes. 17· . . . Q· Okay. So as the director of diversity 18· compliance at Oracle, and later the senior director 19· of diversity compliance, did you do anything to 20· monitor equal employment opportunity with respect to 21· compensation? 22· . . . A· That's a process that involves many people 23· at Oracle, as I just described. That is done with 24· the focal review. It's done when a person comes on 25· board, and it's done with -- internally within each	
99	
1· manager's group. Any other analysis that we've 2· participated in has not been our own analysis, but 3· it's been an analysis that we've -- we've provided or 4· any other piece of that, too, are our attorneys at 5· their direction.	
6· . . . MS. BREMER: Okay. Can -- can you read 7· that question again, please.	
8· (Record read.)	
9· . . . MS. CONNELL: Objection; asked and 10· answered.	
11· . . . THE WITNESS: I've answered that.	
12· BY MS. BREMER:	
13· . . . Q· Okay. My question was whether you did 14· any -- whether you or your group did anything to 15· monitor equal opportunity employment with respect to 16· compensation?	
17· . . . A· Anything like that that my group did was at 18· the direction of our attorneys.	
19· . . . Q· Okay. So you --	
20· . . . A· And -- and -- and we ran any -- any kind of 21· information that we ran, we -- we ran the information 22· at their direction and provided it to them.	
23· . . . Q· So any monitoring -- you did not -- as -- 24· as director of diversity compliance at Oracle, and 25· later senior director of diversity compliance, you	
100	
1· did not do any monitoring of equal employment 2· opportunity activities with respect to compensation	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>3· except at the direction of your attorneys? 4· . . . MS. CONNELL: Objection; misstates her 5· testimony and assumes facts. 6· . . . THE WITNESS: The monitoring that we did 7· was at their -- at their direction. The other 8· monitoring is, as I said in my previous statement, 9· through the -- the focal review process, because of 10· the entrepreneurial environment at Oracle. 11· BY MS. BREMER: 12· . . . Q· Okay. Going back to the new -- the 13· second-level overview of work flows that -- 14· . . . A· Yes. 15· . . . Q· -- that was implemented in 2017? 16· . . . A· Yes. 17· . . . Q· When you are reviewing -- you said that you 18· pulled -- you pulled data -- 19· . . . A· Uh-huh. 20· . . . Q· -- for someone -- for a team, if there was 21· a promotion, hire, or termination. What -- what 22· group did you pull the information for?</p>	
<p>100:23-104:2</p> <p>100 23· . . . A· What do you mean by “group”? 24· . . . Q· Was it by -- was it by supervisor, by job 25· title, you know, when you were analyzing –</p> <p>101 1· . . . A· Yeah. 2· . . . Q· -- the promotion, what -- what group were 3· you analyzing? 4· . . . A· Well, since we do affirmative action, we -- 5· we would look at the data by job group, but we did 6· the more granular study, because you could have, 7· like, at Oracle, and I don’t know if you’ve been told 8· this before, but you could have, like, five software 9· developers and they could even be in the same line of 10· business, but they could be doing completely 11· different -- different things. 12· So when we look at all of this, we’ll go 13· into the job group, and they’ll look at each 14· requisition within that job group to see, you know, 15· did -- did they, you know, is something off within</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>16· that -- that particular job group, and then -- 17· appears needs further investigation, requires further 18· investigation. And then we'll go ahead and request 19· the work flows on that, and -- and take a look at 20· them and see if -- if the hiring decision was 21· supported. 22· . . . Q· Okay. So, for example, with a promotion, 23· if someone's being promoted, your current 24· second-level review would look at everyone in the 25· same job group as the person being promoted?</p>	
<p>102</p>	
<p>1· . . . A· Yes. We're -- where we would maybe have an 2· indicator or something like that that would come out, 3· we would look at every single hire -- it's very 4· tedious, but every single hire within any job group 5· that has any kind of indicator at all, and we would 6· go in and look. 7· So the process would be, we would do -- you 8· know, we would look at the indicators, go in and look 9· at -- pull every single hire, at whatever location it 10· is there, go back and pull in the demographics of the 11· applicant pool. We would -- we would take a look at 12· that, who was hired and who wasn't, and in any 13· instance where the unfavored group was three or more 14· people greater -- and that's just a reasonable thing; 15· it's not statistically significant -- we would go in 16· and then if the favor -- a person from the favored 17· group was hired and not a person from the unfavored 18· group to where -- that we were looking at, because we 19· do it by -- by groups, then we would go in and pull 20· the work flow and review the decision that was made, 21· yes.</p>	
<p>22· . . . Q· And the job groups that you're talking 23· about, those are the job groups that are in the AAP, 24· in the section on "Job Group Analysis"? 25· . . . A· Yes.</p>	
<p>103</p>	
<p>1· . . . Q· So, for example, PT1 is one of the job 2· groups? 3· . . . A· Yes. If we had an indicator in -- for PT1, 4· then we would go in and -- it takes a long, long time 5· to pull the data, but we'd go in and we'd pull up</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>6· everything that fits the criteria that I just 7· described to you. 8· . . . Q· Okay. 9· . . . A· And look at it and look at the numbers and 10· then I will -- I will pull the work flow and -- and 11· take a look at the work flow, and see if -- make sure 12· that the justification is there for the hire. 13· . . . Q· So who conducts the analysis of the data 14· for the people in -- in the job group for the 15· second-level review that you're describing? 16· . . . A· My team. We just -- it's -- it's a way of 17· looking at it, you know, beyond that point. 18· . . . Q· Okay. But you don't review the data for 19· compensation changes or do a second-level review for 20· compensation changes? 21· . . . A· I think what I previously told you is -- is 22· correct. 23· . . . Q· When you're doing a second-level review of 24· the job groups for promotions, for example, are 25· you -- you're looking at everyone in the job group</p> <p>104 1· and you're looking at the demographic data, are you 2· looking at any other factors other than that?</p>	
<p>104:5-24</p> <p>5· . . . THE WITNESS: Yeah, we only review certain 6· ones, because there's so many of them. So -- and we 7· review the ones where you've got a person in the 8· unfavored group that you're looking at as being 9· unfavored, and you look -- we look at it by 10· requisition. And it's organized high level, like an 11· umbrella under a job group. But the analysis, 12· because we've got so many different managers, and so 13· many different people, you know, making decisions, we 14· look at it by requisition by requisition. 15· There's no other way I can think of to 16· review it. And so then -- then if -- if the 17· unfavored group is three or more people greater than 18· the favored group and we hired somebody from the 19· favored group, then we pull those work flows. 20· BY MS. BREMER: 21· . . . Q· So for the -- for the requisition -- for</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
22· the promotions, you're looking at the requisitions of 23· people and the people who applied for that promotion? 24· . . . A· Yes, and who was hired, uh-huh.	
<p>106:20-109:4</p> <p>20· . . . Q· Okay. Let's turn to page 11. 21· . . . A· Okay. 22· . . . Q· Okay. It says, at the top of the page, 23· "The director of diversity compliance" -- that's you. 24· Right? 25· . . . A· Yeah.</p> <p>107</p> <p>1· . . . Q· -- "is responsible for implementing an 2· effective auditing and reporting system." 3· . . . A· Uh-huh. 4· . . . Q· And it says that "Oracle develops and 5· analyzes internal audit reports to assess performance 6· in at least the following areas," and the last one is 7· compensation. Correct? 8· . . . A· Correct. 9· . . . Q· Okay. All right. And you're responsible 10· for developing internal audit reports regarding 11· compensation? 12· . . . A· The only -- the audit reports that we've 13· developed have been at the direction of our 14· attorneys, and have been provided to them. 15· . . . Q· Did you prepare -- did you and your team 16· prepare internal audit reports regarding 17· compensation? 18· . . . MS. CONNELL: Objection; vague. 19· . . . THE WITNESS: Under attorney-client -- for 20· our attorneys. 21· BY MS. BREMER: 22· . . . Q· I'm asking who -- who actually prepared the 23· reports, was that your team? 24· . . . A· For our attorneys? I -- I can't say with 25· certainty that other areas didn't do some kind of</p> <p>108</p> <p>1· overview outside of my group. But my group prepared 2· some of them, I would imagine, or -- but I can't say 3· how extensive that is. 4· . . . Q· Okay. So your group did prepare audit</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>5· reports to assess Oracle’s performance regarding 6· compensation? 7· . . . MS. CONNELL: Objection as to the purpose 8· of the so-called audit reports. Calls for a legal 9· conclusion, and it’s vague and ambiguous. 10· . . . THE WITNESS: You would have to -- the 11· purpose of it -- the full purpose of it, again, it 12· was -- our purpose was attorney-client work product. 13· And our attorneys would determine the purpose. 14· BY MS. BREMER: 15· . . . Q· Okay. But you -- your group prepared audit 16· reports regarding compensation. Correct? 17· . . . MS. CONNELL: Objection; vague as to “audit 18· reports.” 19· . . . THE WITNESS: What do you mean “audit 20· reports”? 21· BY MS. BREMER: 22· . . . Q· Okay. This document says that “Oracle 23· develops and analyzes internal audit reports to 24· assess performance in at least the following areas”; 25· the last one is compensation.</p> <p>109 1· Did you -- did your group develop internal 2· audit reports to assess Oracle’s performance 3· regarding compensation? 4· . . . A· Only at the direction of our attorneys.</p>	
<p>109:18-110:22</p> <p>18· . . . Q· Okay. But you did pull data to perform or 19· develop internal audit reports on compensation? 20· . . . MS. CONNELL: Objection; vague and 21· ambiguous as to “internal audit reports,” asked and 22· answered and calls for a legal conclusion. It’s also 23· privileged as to what the purpose of -- 24· . . . MS. BREMER: I didn’t ask the purpose. I’m 25· following this –</p> <p>110 1· Ask the question. Can you repeat the 2· question, please. 3· . . . THE REPORTER: Can you adjust your 4· microphone so it’s standing up. 5· (Record read.)</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>6 · · · · MS. CONNELL: Same objections and misstates 7 · her testimony. 8 · · · · THE WITNESS: I'm going to have to give you 9 · the same answer. We pulled data for our attorneys 10 · with regard to affirmative action, but it was part of 11 · attorney-client work product. 12 · BY MS. BREMER: 13 · · · · Q. Okay. So the data that you pulled to 14 · analyze compensation, did you -- has that been 15 · retained? 16 · · · · MS. CONNELL: Objection; misstates her 17 · testimony, that assumes facts and lacks foundation. 18 · Also calls for speculation. 19 · BY MS. BREMER: 20 · · · · Q. Okay. You just testified that -- that you 21 · pulled data for your attorneys? 22 · · · · A. Right.</p>	
<p>111:15-112:7</p> <p>15 · · · · Q. Okay. Did your group do -- conduct routine 16 · analyses of Oracle's compensation? 17 · · · · MS. CONNELL: Objection; vague. 18 · · · · THE WITNESS: The routine analysis that's 19 · done is -- is when a person is hired and they come 20 · in, the HR business partner may -- may or may not do 21 · a pay equity for -- for comparable employees that 22 · report to the manager. And then the manager, 23 · according to our training guidelines, ensures -- 24 · takes a look at it for equity. Then it's an ongoing 25 · process. And then if there's a focal review -- and</p> <p>112</p> <p>1 · there isn't always a focal review -- but if there is 2 · a focal review, then the manager, you know, along 3 · with the training that they received, is trusted to 4 · do a review of the workforce to ensure that people 5 · are paid in an equitable manner in their workforce, 6 · and that also applies to any bonuses received or any 7 · type of stock equity or anything like that.</p>	
<p>112:9-113:23</p> <p>9 · · · · Q. Okay. Talking about, again, the internal</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>10· ·audit reports that are mentioned in Oracle's 11· ·Affirmative Action Plan, that you prepared -- 12· ··· A· Uh-huh. 13· ··· Q· -- do you -- does your group conduct 14· ·analyses for the internal audit reports? 15· ··· MS. CONNELL: Objection; vague, calls for a 16· ·legal conclusion. 17· ··· THE WITNESS: I don't -- I don't understand 18· ·the question. 19· ·BY MS. BREMER: 20· ··· Q· Okay. You talked about pulling data that 21· ·was provided to your attorneys regarding 22· ·compensation, correct, regarding employee 23· ·compensation? 24· ··· A· Yes. 25· ··· Q· Okay. Did you also -- did your group also</p> <p>113</p> <p>1· ·conduct an analysis of the data regarding employee 2· ·compensation? 3· ··· MS. CONNELL: Objection; vague, calls for a 4· ·legal conclusion. 5· ··· THE WITNESS: Yeah, the only thing -- the 6· ·only -- I -- the -- all analyses were done under 7· ·attorney-client work product, as directed by our 8· ·attorneys. 9· ·BY MS. BREMER: 10· ··· Q· Okay. But who -- who did the analyses? 11· ·That's what I'm asking. 12· ··· MS. CONNELL: Objection; vague, also calls 13· ·for speculation. 14· ··· THE WITNESS: Yeah, I can't -- 15· ··· MS. CONNELL: It's also getting very close 16· ·to intruding on the attorney-client privilege. 17· ··· THE WITNESS: Yeah, I don't know who did 18· ·the analysis once they got the information, any 19· ·additional analysis. Some of our -- some of the 20· ·analysis was done under attorney-client work product, 21· ·but they also had other data, you know, and I don't 22· ·know who -- who else did the analysis. 23· ·BY MS. BREMER:</p>	
<p>114:10-118:20</p> <p>10· ··· Q· I'm not asking you to describe the analysis</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>11· ·that you did. I'm asking if your group was the one 12· ·who -- if your group actually did an analysis or just 13· ·provided data to the attorneys? 14· · . . . A· In order to comply with our -- our 15· ·requirements under Executive Order 11246, that 16· ·analysis is what I described to you as far as 17· ·starting with the equity analysis where the -- when 18· ·the person comes in to Oracle that's done by the 19· ·manager. 20· ·And because of these small work groups, 21· ·you've got to understand that we have thousands of 22· ·products, and you can have people with the same 23· ·title; you can have many people and they're all doing 24· ·different things. So everything's got to really -- 25· ·to really be looked at for any kind of equity, it's</p>	
<p>115 1· ·got to be done at that very small level because of 2· ·the nature of the technology industry. 3· ·And so when they come in, that manager 4· ·takes a look at their work group, together with 5· ·human -- you know, with assistance that they 6· ·requested from the HR business partner or the 7· ·HR representative, and they take a look at pay equity 8· ·within their group. That's -- that's when they come 9· ·in. 10· ·Then when we have the focal review, it's up 11· ·to the manager to do the same thing in the 12· ·distribution of any increases that are made. They do 13· ·that same assessment. They may or may not ask for 14· ·help, you know, from their HR person, they may not. 15· ·And then the same thing goes for stock equity, or, 16· ·you know, that type of thing, or any kind of 17· ·incentives or anything like that. That's very much, 18· ·you know, decentralized, and it's -- it's -- we're a 19· ·highly matrixed organization with a lot of different 20· ·managers and a lot of different people that have the 21· ·same job title doing completely different things. 22· ·And so it would be impossible for my group 23· ·to look at that small granular level of analysis, so 24· ·we have to trust that our managers are doing their 25· ·job.</p>	
<p>116 1· · . . . Q· Okay. My -- yeah.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>2 · Can you repeat my question, please. 3 · (Record read.) 4 · · · · THE WITNESS: If our attorney directed 5 · us -- or did you -- 6 · · · · MS. CONNELL: I was just going to say, 7 · yeah, same objections. 8 · · · · THE WITNESS: If our attorneys directed us 9 · to do some kind of analysis, we did it under their 10 · work product, but we did not do any kind of analysis 11 · separate from our -- our attorney requesting that we 12 · do it as part of their work product. 13 · BY MS. BREMER: 14 · · · · Q · So your compliance group only conducted a 15 · compensation analysis if specifically directed by 16 · Oracle's attorneys? 17 · · · · A · Yes. 18 · · · · Q · And you said it would be impossible to look 19 · at the compensation of employees at a granular level? 20 · · · · A · For my team. 21 · · · · MS. CONNELL: Objection; mis -- 22 · BY MS. BREMER: 23 · · · · Q · Okay. It would be impossible for your team 24 · to look at employee compensation at a granular level? 25 · · · · MS. CONNELL: Objection; misstates her</p>	
<p>117</p>	
<p>1 · testimony. 2 · · · · THE WITNESS: To actually conduct the 3 · analysis at a granular level, not look at. 4 · BY MS. BREMER: 5 · · · · Q · Okay. Did your group conduct an analysis 6 · of employee compensation at a more high level to 7 · ensure compliance with Oracle's affirmative action 8 · obligations? 9 · · · · A · I've answered that. Any analysis my group 10 · did was as directed by our attorney, under 11 · attorney-client privilege and work product. 12 · · · · Q · And no other analysis was done? 13 · · · · A · No, it was all directed by our attorneys, 14 · by my group. And, you know, aside from the focal 15 · review that I described that's done by managers, and 16 · the -- and in addition to the review that's done when 17 · they're hired, and then when any stock options are 18 · given out or any type of incentive there. All of</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>19· that from new hire through the whole employment 20· process, it's that analysis is done by managers of 21· their own work group. 22· . . . Q· And that's just done on a 23· work-group-by-work-group basis? 24· . . . A· I don't know what you mean by work group to 25· work group.</p> <p>118</p> <p>1· . . . Q· Each -- each manager, as you've described, 2· would -- could analyze their own team to ensure 3· equity and fairness in compensation? 4· . . . MS. CONNELL: Objection; calls for 5· speculation. 6· You can answer. 7· . . . THE WITNESS: Yeah, I -- I don't know 8· exactly what each manager does with regard to that. 9· I know that it's in their training and they're 10· trusted to do it. 11· BY MS. BREMER: 12· . . . Q· And you don't to anything other than the 13· training to ensure that managers actually do conduct 14· analyses of their own teams to ensure equity and 15· fairness in compensation? 16· . . . MS. CONNELL: Objection; argumentative. 17· . . . THE WITNESS: I don't do the training. The 18· training's supplied to them by compensation, I think. 19· But I'm unclear who supplies the training. I just 20· know that it's provided to them.</p>	
<p>120:18-121:1</p> <p>18· . . . Q· Did Oracle have any goals in any its 19· affirmative action plans between 2013 and the present 20· related to compensation? 21· . . . MS. CONNELL: Objection; the document 22· speaks for themselves. 23· You can answer. 24· . . . THE WITNESS: I'm not aware of any -- any 25· goals for compensation that would be in the</p> <p>121</p> <p>1· Affirmative Action Plan.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>121:19-122:15</p> <p>19 · · · Q · Okay. Before the break you talked about 20 · training managers received regarding focal reviews. 21 · Correct? 22 · · · A · I talked about the training managers 23 · received as far as compensation and what -- what 24 · needs to be covered in that. 25 · · · Q · Okay. And did the compensation training</p> <p>122</p> <p>1 · that managers receive involve or include pay equity? 2 · · · A · It includes equity for everybody in their 3 · group. So it's based off of performance, and -- 4 · and -- and also, you know, their skills for the job 5 · and that type of thing. And -- and just a bunch of 6 · different factors. And it talks about equity for -- 7 · for everybody in their group. 8 · · · Q · And the equity that the training discussed 9 · included equity regarding compensation? 10 · · · A · Yes. I don't know -- well, let me qualify 11 · that. I can't say -- there is a slide in there that 12 · talks about, in the training, that talks about equity 13 · with regard to compensation. As far as, you know, 14 · anything other than that slide, I can't speak to 15 · that.</p>	
<p>123:11-124:2</p> <p>11 · · · Q · And does the training that managers receive 12 · include pay equity and nondiscrimination based on 13 · protected categories, such as gender and race? 14 · · · MS. CONNELL: Assert an objection that the 15 · training has been produced and speaks for itself. 16 · But you can testify, if you know. 17 · · · THE WITNESS: The only -- the training -- I 18 · don't conduct the training. The training has been 19 · produced. You can take a look at it. And, again, I 20 · can't speak for every manager, because, again, 21 · it's -- it's broken down to very small 22 · entrepreneurial units that are managed directly by 23 · the manager, so I can't say with certainty what each 24 · manager does. 25 · But I do know that they've been instructed</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>124 1 · to consider equity in looking at pay and with regard 2 · to compensation.</p>	
<p>125:7-126:17</p> <p>7 · . . . Q. Are you aware of any instructions that have 8 · been given to Oracle managers regarding ensuring pay 9 · equity other than the slide that's contained in the 10 · PowerPoint that you've mentioned? 11 · . . . MS. CONNELL: Objection; asked and answered 12 · and calls for speculation. 13 · . . . THE WITNESS: Yeah, I don't know exactly 14 · what documents have been supplied to managers outside 15 · of that training. 16 · BY MS. BREMER: 17 · . . . Q. Do you know if the training is required by 18 · managers? 19 · . . . A. I would -- I would hope so. It's available 20 · to them. 21 · . . . Q. But you don't -- 22 · . . . A. I don't know, because I don't oversee the 23 · training program, so I can't tell you, you know, 24 · what's required and what's not with regard to that. 25 · I know I've seen -- seen it. I'm a manager. But I</p> <p>126 1 · can only speak for myself. But as far as reviewing 2 · the document, the PowerPoint slide that provides the 3 · information on that, I can't speak for other -- other 4 · managers or work groups. 5 · . . . Q. And your compliance group does nothing to 6 · ensure that managers take pay equity into account in 7 · studying compensation? 8 · . . . MS. CONNELL: Objection; misstates her 9 · testimony. 10 · . . . THE WITNESS: I think my group does not 11 · oversee. And I think we talked about this before -- 12 · before lunch, but all of that is delegated out to the 13 · managers. They are responsible for the compensation 14 · in their own work group. There are -- they determine 15 · what equity is available in their work group, and -- 16 · my -- my group does not interact with them</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
17 · individually on compensation issues.	
<p>126:19-127:5</p> <p>19 · . . . Q. Why did your group start conducting a 20 · second-level review of promotion, hiring, and 21 · termination decisions in 2017? 22 · . . . A. Well, we wanted to do a better -- you know, 23 · we wanted to really -- we -- in all honesty, we took 24 · our cue from the OFCCP. You know, in going through 25 · all of these audits, we wanted to do a second-level</p> <p>127</p> <p>1 · review with this, and create a better work product or 2 · something a little bit more inclusive in our work 3 · product, as far as a second review. No other reason 4 · other than that. So I think that, you know, that's a 5 · good job to you, so –</p>	
<p>128:7-24</p> <p>7 · . . . Q. And the compensation analyses that you -- 8 · that your group conducted, were reflected in 9 · documents. Correct? 10 · . . . MS. CONNELL: Objection; vague. 11 · . . . THE WITNESS: I don't know what you mean by 12 · "documents." 13 · BY MS. BREMER: 14 · . . . Q. When you say that you sent compensation 15 · analyses to Oracle's attorneys, were those documents 16 · that you sent to Oracle's attorneys? 17 · . . . A. In some instances. Yes, I mean, we would 18 · send data to them. 19 · . . . Q. And also analyses that were documented? 20 · . . . A. Yes. 21 · . . . MS. CONNELL: Objection; vague. 22 · . . . THE WITNESS: Yeah, I mean, well, some. We 23 · would send some documents and some that -- with 24 · regard to analysis and some just data.</p>	
<p>129:5-130:4</p> <p>5 · . . . Q. Okay. Looking back at Exhibit 19. 6 · . . . A. Do we have that one? Is that this? Is it 7 · something you've already given us?</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>8 · · · · Q· Yes. It's the Declaration of Shauna 9 · Holman-Harries in Support of Defendant's Motion for 10 · Summary Judgment. 11 · · · · MS. CONNELL: That one. 12 · · · · THE WITNESS: That one. Okay. 13 · All right. 14 · BY MS. BREMER: 15 · · · · Q· And looking at Exhibit E -- 16 · · · · A· E? 17 · · · · Q· -- to your declaration. 18 · Yes. 19 · · · · A· All right. 20 · · · · Q· Do you recognize this document as a copy -- 21 · a true and correct copy of the Notice of Violation 22 · that you received from OFCCP on or about March 11th, 23 · 2016? 24 · · · · A· I haven't seen this document for quite some 25 · time, so I -- I can't for certain say that it's the</p> <p>130 1 · document, I could, you know, trust that it would be. 2 · · · · Q· There's no reason for you to believe that 3 · that's not the Notice of Violation? 4 · · · · A· Correct.</p>	
<p>131:9-14</p> <p>9 · · · · Q· And did your group conduct any statistical 10 · analyses between March 16th, 2016 and January 2017 -- 11 · · · · MS. CONNELL: Counsel -- sorry, go ahead. 12 · BY MS. BREMER: 13 · · · · Q· -- in connection with the audit of Oracle's 14 · headquarters?</p>	
<p>131:15-25</p> <p>15 · · · · MS. CONNELL: Counsel the witness not to 16 · disclose the content of any attorney-client privilege 17 · or attorney work product communications or analyses. 18 · · · · THE WITNESS: Okay. And I'm looking at the 19 · date -- what was the date of the NOV? 20 · BY MS. BREMER: 21 · · · · Q· March 11th, 2016. 22 · · · · A· We did not do anything after the -- provide</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
23· the lawyers with any kind of analysis as their work 24· product, after we have received the Notice of 25· Violation.	
<p>149:6-151:17</p> <p>6· . . . MS. BREMER: 22. Okay. I'd like to mark 7· as Exhibit 22, an e-mail from Hoan Luong to Shauna 8· Holman-Harries, dated November 20th, 2014, with an 9· attachment, and it's Bates numbered ORACLE_HQCA 5203 10· through 5206. 11· (Marked for identification Exhibit 22.) 12· . . . THE WITNESS: Thank you. 13· BY MS. BREMER: 14· . . . Q. Did you receive this e-mail on or about 15· November 20th, 2014? 16· . . . A. Yes. 17· . . . Q. And the letter -- you also received the 18· attached letter dated November 19th, 2014? 19· . . . A. I believe so. 20· . . . Q. And with this e-mail, OFCCP was requesting 21· additional information to evaluate Oracle's 22· compensation practices. Correct? 23· . . . MS. CONNELL: Objection; the document 24· speaks for itself. 25· . . . THE WITNESS: According to the document,</p> <p>150</p> <p>1· that's my understanding. 2· BY MS. BREMER: 3· . . . Q. Looking at the attached letter, dated 4· November 19th, 2014, OFCCP requested information 5· including educational data. Correct? 6· . . . A. Yes. 7· . . . MS. CONNELL: Objection; the document 8· speaks for itself. 9· BY MS. BREMER: 10· . . . Q. In looking at -- there's a -- there's a 11· list of 34 items in the letter that OFCCP is 12· requesting. Right? 13· . . . MS. CONNELL: Objection; the document 14· speaks for itself. 15· . . . THE WITNESS: According to the document. 16· BY MS. BREMER: 17· . . . Q. And if you look at number 33, OFCCP</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>18· requested all human resources and employment 19· policies, including compensation policies, i.e., 20· compensation philosophy, salary bands, 21· incentive/bonus policy, stock plans. Right? 22· ··· MS. CONNELL: Objection; the document 23· speaks for itself. 24· ··· THE WITNESS: According to the document, 25· yes.</p> <p>151 1· BY MS. BREMER: 2· ··· Q· And with respect to data, OFCCP requested 3· that the data be submitted in Excel format. Correct? 4· ··· MS. CONNELL: Objection; the document 5· speaks for itself. 6· ··· THE WITNESS: According to the document. 7· BY MS. BREMER: 8· ··· Q· Which you received. Right? 9· ··· A· (No audible response.) 10· ··· Q· And you -- right? 11· ··· A· According to this document that you -- 12· that's in front of me that -- I believe I received, 13· yes. 14· ··· Q· And you collected -- your team was in 15· charge of collecting the documents and data requested 16· by this letter. Correct? 17· ··· A· In coordinating the collection.</p>	
<p>151:18-154:7</p> <p>18· ··· MS. BREMER: Okay. I'd like to mark as 19· Exhibit 23, a document Bates labeled 20· ORACLE_HQCA 5208. It's from Shauna -- or it's a 21· series of e-mails between Shauna Holman-Harries and 22· Hoan Luong. 23· (Marked for identification Exhibit 23.) 24· BY MS. BREMER: 25· ··· Q· Is -- is Exhibit 23 a true and correct copy</p> <p>152 1· of a series of e-mails exchanged between you and Hoan 2· Luong between November 19th, 2014 and December 1st, 3· 2014? 4· ··· A· It appears to be, yes. 5· ··· Q· Okay. If you look at the top e-mail from</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>6· you to Hoan Luong, the second paragraph, it says, “We 7· are working on your request. It has been submitted 8· to our IT department.” 9· Do you see that? 10· . . . A· Yes. 11· . . . Q· Did you submit the request to Oracle’s IT 12· department? 13· . . . A· Well, we submitted the request for some of 14· the compensation data, that’s the -- if you think 15· back earlier today, I explained the process of 16· pulling the information from OAL, which this is the 17· OAL area. And we -- and we made the request to OAL 18· to pull the information from us, and that’s one of 19· the IT areas. 20· . . . Q· And this would be the request that was in 21· Exhibit 22? 22· . . . A· Which exhibit is that? Is that -- 23· . . . Q· The one -- the document that we just looked 24· at, the letter -- 25· . . . A· This one?</p> <p>153</p> <p>1· . . . Q· -- that’s dated November 19th, 2014. 2· . . . A· That was related to this letter? You mean 3· in submission of this? Yes. I believe so. But I 4· can’t say without looking for certainty, you know, 5· without looking. There were so many communications, 6· I’d have to look at every communication that was sent 7· to say specifically that that was in response to 8· that. 9· . . . Q· Well, if you look at -- if you look at the 10· e-mail on the bottom -- 11· . . . A· Yeah. 12· . . . Q· -- of the page, it’s the same e-mail that’s 13· attaching this letter -- 14· . . . A· Oh, okay. 15· . . . Q· -- in Exhibit 22. Correct? 16· . . . A· Okay. Yes. 17· . . . Q· So you submitted that request to OAL? 18· . . . A· We requested that they pull information, 19· yes. 20· . . . Q· Do you know who at OAL your -- you 21· requested the information from? 22· . . . A· I believe it would have been Chung Ko.</p>	<p>Errata: Chun-Ko</p>

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>23 · · · · Q· Did you have any discussion with Chung Ko 24 · or anyone at OAL about what databases Oracle was 25 · searching to provide the requested information?</p> <p>154 1 · · · · A· No. 2 · · · · Q· Did you provide any instructions to OAL, 3 · other than the request itself from OFCCP? 4 · · · · A· No. We would just ask them to pull the 5 · data as -- as provided in the headers. And the 6 · headers would reflect the information you were asking 7 · for.</p>	
<p>154:13-165:24</p> <p>13 · · · · MS. BREMER: I'm sorry. Let's mark as 14 · Exhibit 24, a series of e-mails between February 15 · 17th, 2015 and February 19th, 2015, between Shauna 16 · Holman-Harries and Hoan Luong. 17 · (Marked for identification Exhibit 24.) 18 · · · · THE WITNESS: Thank you. 19 · BY MS. BREMER: 20 · · · · Q· Is Exhibit 24 a true and correct copy of 21 · e-mails you exchanged between -- with Hoan Luong 22 · between February 17, 2015 and February 19th, 2015? 23 · · · · A· Yes. I believe so. 24 · · · · Q· If you look at the bottom e-mail, OFCCP 25 · requested all written policies and procedures for</p> <p>155 1 · hirings, promotions, and terminations at -- for 2 · Oracle at the HQCA location. Right? 3 · · · · A· Yes. 4 · · · · Q· And in the next e-mail, dated February 5 · 19th, 2015, you responded that "I'm attaching 6 · Oracle's employee handbook," which included Oracle's 7 · promotion policy. Right? 8 · · · · A· Yes, it would have included -- yes, that's 9 · what I was able to find at that time. 10 · · · · MS. BREMER: Okay. And so marking as 11 · Exhibit Number 25, a document entitled "Oracle U.S. 12 · Employee Handbook"; it's Bates stamped 13 · ORACLE_HQCA 464 through 569. 14 · (Marked for identification Exhibit 25.) 15 · · · · THE WITNESS: Thank you.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
16· ·Okay. Did you want me to turn to the page 17· ·referenced to? 18· ·BY MS. BREMER: 19· ··· Q· No, that's okay. 20· ·Is this a true and correct copy of the 21· ·employee handbook you sent to OFCCP in February of 22· ·2014? 23· ··· A· I mean, it looks like it. 24· ··· Q· You have no reason to believe it's not? 25· ··· A· No.	
156 1· ··· Q· Where did you get it? 2· ··· A· I got it off of the -- there was an Oracle 3· ·internal website, and I -- it was downloaded from 4· ·there. You can download it from the -- the site, the 5· ·employee site. 6· ··· Q· And do all U.S. Oracle employees have 7· ·access to the employee handbook? 8· ··· A· They should, yes. 9· ··· Q· Do you know who drafted the Oracle employee 10· ·handbook? 11· ··· A· I don't know who drafted it. 12· ··· Q· Was your group involved in drafting any of 13· ·the portions? 14· ··· A· We provided input to the legal department. 15· ··· Q· And for which -- which portions of the 16· ·employee handbook? 17· ··· A· On this particular version, I don't -- I 18· ·don't believe on this version we did, because this 19· ·was 2013, so I think that on this particular version, 20· ·I don't -- I don't know if there was any portion of 21· ·this that my department had a part in revising. It 22· ·didn't under me. So -- this was -- this was -- all 23· ·this was done by not me. Like I said, I have no 24· ·idea. 25· ··· Q· Okay. So you just -- you just pulled	
157 1· ·this -- 2· ··· A· Yes. 3· ··· Q· -- to send to OFCCP? 4· ··· A· Yes. Yes. 5· ··· Q· And in the table of contents there are 6· ·revision dates; is it your understanding that those	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>7· reflect when each section has been revised? 8· . . . MS. CONNELL: Objection; calls for 9· speculation, the document speaks for itself. 10· . . . THE WITNESS: Yeah, I didn't put this 11· document together, so I can't speculate on what those 12· numbers -- what that means. 13· BY MS. BREMER: 14· . . . Q. Okay. Looking at, for example, on the 15· table of contents it says "Equal employment 16· opportunity revised February 2014," did -- 17· . . . A. Where is that? Is that like at the top? 18· Okay. Which -- which line are you working on? 19· . . . Q. Under employment policies it says "Equal 20· employment opportunity"? 21· . . . A. Just a minute. 22· . . . Q. It's page 10. 23· . . . A. Page 10. Okay. Thank you. Okay. 24· . . . Q. Did your group have any involvement in 25· revising the equal employment opportunity section of</p>	
<p>158</p>	
<p>1· the employee handbook? 2· . . . A. I'm looking at your page numbers instead of 3· mine. Yes. Because this was in 2014, so we did, 4· yes. 5· . . . Q. Okay. And you indicated that -- or you 6· suggested that you may have revised some of the 7· portions of the employee handbook later; what 8· sections would those have been? 9· . . . A. Oh, later? It would have been in 10· relationship to the regs that came down with 11· veterans, making sure that -- that they were in 12· there, and then making sure that I -- I'd have to 13· really look at the sections to remember, and I don't 14· want to give you false information. But just 15· anything that has to do with any kind of policy, you 16· know, that comes -- comes through generally the OFCCP 17· as part of the regulation. 18· . . . Q. Okay. 19· . . . A. So -- 20· . . . Q. And there's a section on affirmative 21· action. Did your group have any input into the 22· affirmative action section? 23· . . . A. This, I believe, was -- this was written</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
24. before I started, so I don't know who -- who put that 25. together.	
159	
1. . . . Q. And did your group ever revise the	
2. affirmative action section of the employee handbook?	
3. . . . A. I would have to look at the language and	
4. then that would probably trigger my memory. And --	
5. and see what's in it today. And see if anything is	
6. related to one of the regulation changes in there and	
7. where it was. But I'd have to, like, visually see it	
8. to remember and see if any of the regulation changes	
9. were reflected in the section.	
10. . . . Q. Okay. Well, let's -- let's look at that	
11. section, which is on page 11.	
12. . . . A. Okay.	
13. . . . Q. In the description of Oracle's affirmative	
14. action that's contained in its employee handbook --	
15. . . . A. Uh-huh.	
16. . . . Q. -- it doesn't mention pay, does it?	
17. . . . MS. CONNELL: Objection; the document	
18. speaks for itself.	
19. . . . THE WITNESS: Yeah, whatever the document	
20. says.	
21. BY MS. BREMER:	
22. . . . Q. Okay. But it doesn't say anything -- you	
23. don't see anything about compensation or pay in the	
24. affirmative action section of the employee handbook?	
25. . . . A. No.	
160	
1. . . . MS. CONNELL: Same objections. The	
2. document speaks for itself.	
3. BY MS. BREMER:	
4. . . . Q. Did you or your group ever revise any	
5. portion of the employee handbook to talk about equity	
6. or affirmative action with respect to employee	
7. compensation?	
8. . . . A. No.	
9. . . . Q. Okay. Let's turn to page 39 of the	
10. employee handbook.	
11. . . . A. Okay.	
12. . . . Q. And the employee handbook provides	
13. information to employees about their compensation.	
14. Correct?	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>15 · · · · A. Correct. 16 · · · · Q. And the employee handbook tells employees 17 · three factors that influence their compensation: 18 · market research, career level, and performance; is 19 · that correct? 20 · · · · MS. CONNELL: Objection; misstates the 21 · document. The document speaks for itself. 22 · · · · THE WITNESS: I think that everything 23 · that's covered in there you've got a record of it 24 · right now, so -- 25 · BY MS. BREMER:</p>	
<p>161</p>	
<p>1 · · · · Q. Okay. Well, let's look at this sentence 2 · that I'm referring to right now. It says, "To 3 · determine your salary and total cash compensation 4 · package, we take into account market research, career 5 · level, and your individual performance." Correct? 6 · · · · MS. CONNELL: Objection; the document 7 · speaks for itself. 8 · · · · THE WITNESS: Whatever the document says. 9 · BY MS. BREMER: 10 · · · · Q. Okay. And did I read that correctly? 11 · · · · MS. CONNELL: Objection; argumentative. 12 · · · · THE WITNESS: Yes, I'm not -- I'm trying to 13 · find the sentence to see if -- to be able to answer 14 · that question. Which sentence are you referring to 15 · in that first, that you -- 16 · BY MS. BREMER: 17 · · · · Q. It says "To determine your" -- 18 · · · · A. Oh, determine, there, okay. 19 · Yes, that's what it says. 20 · · · · Q. Okay. When it says "we take into account 21 · market research," is that referring to what Oracle's 22 · competitors are paying employees in similar job 23 · titles? 24 · · · · MS. CONNELL: Objection; calls for 25 · speculation.</p>	
<p>162</p>	
<p>1 · · · · THE WITNESS: I have no way of knowing, 2 · because I didn't write this section, and I don't work 3 · in the compensation department. 4 · BY MS. BREMER: 5 · · · · Q. So you have no idea what -- what it means</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>6· in the compensation section that -- that Oracle takes 7· into account market research in setting compensation? 8· . . . MS. CONNELL: Same objection; calls for 9· speculation, argumentative. 10· . . . THE WITNESS: I -- I don't -- I'm not part 11· of setting pay. I have no part in that. That's a 12· completely different department as far as ranges, and 13· then again, you go back to the hiring manager and how 14· they -- they work with compensation, but this is 15· completely out of my scope. 16· BY MS. BREMER: 17· . . . Q. Okay. In dealing with, so you talk about 18· salary ranges, do you have any understanding that 19· Oracle looks at market research to set salary ranges? 20· . . . MS. CONNELL: Objection; assumes facts, 21· calls for speculation. 22· . . . THE WITNESS: I just have hearsay 23· information, but nothing -- nothing that would -- I 24· don't have any firsthand knowledge. 25· BY MS. BREMER:</p> <p>163</p> <p>1· . . . Q. Right. That's not your group? 2· . . . A. That's not my group. 3· . . . Q. But you do have -- you have some 4· understanding about how Oracle sets compensation for 5· its employees. Right? 6· . . . MS. CONNELL: Objection; assumes facts, 7· calls for speculation. 8· . . . THE WITNESS: I have a very -- very limited 9· understanding, other than what I've described to you 10· earlier, and on the whole complete process that 11· they -- that managers go through in determining pay. 12· BY MS. BREMER: 13· . . . Q. And so you don't have any knowledge of the 14· process that Oracle goes through to consider or 15· account for market research in setting employee 16· compensation? 17· . . . A. No. 18· . . . Q. Okay. It also -- the employee manual also 19· mentions your career level. Is that talking about 20· global career level? 21· . . . MS. CONNELL: Objection; calls for 22· speculation.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
23. . . . THE WITNESS: I didn't write the document, 24. ·so I can't say for certain, but it could be. 25. ·BY MS. BREMER:	
164	
1. . . . Q. Do you have any knowledge that Oracle takes 2. ·into account global career level in setting 3. ·compensation for employees?	
4. . . . MS. CONNELL: Objection; assumes facts, 5. ·calls for speculation.	
6. . . . THE WITNESS: Yeah, I can't speculate on 7. ·that, because I'm not part of the compensation group 8. ·on how they determine compensation. So I just 9. ·wouldn't feel comfortable telling you how they -- how 10. ·they determine what.	
11. ·BY MS. BREMER:	
12. . . . Q. Okay. As -- as the director of diversity 13. ·compliance, who's -- one of whose -- one of your 14. ·duties is to oversee affirmative action and equal 15. ·employment opportunity with regard to compensation. 16. ·Correct?	
17. . . . MS. CONNELL: Objection; misstates her 18. ·testimony.	
19. . . . THE WITNESS: It's -- I don't oversee 20. ·compensation. I -- I -- I think I've explained 21. ·everything before with regards to that, so --	
22. ·BY MS. BREMER:	
23. . . . Q. So do you not know one way or the other 24. ·whether Oracle takes into account global career level 25. ·in setting compensation for Oracle employees?	
165	
1. . . . A. I'm not involved in that process. You're 2. ·asking for a process question, in my mind, and since 3. ·I'm not involved in the process, I -- I can't say 4. ·with any certainty what exactly is considered in 5. ·setting compensation, because you're talking overall 6. ·the pay ranges, right, so I have no idea what process 7. ·they go through in bringing that into the equation.	
8. . . . Q. I'm asking about the factors that Oracle 9. ·considers in setting compensation for its employees. 10. ·And this manual provided to employees says one of the 11. ·factors is career level. I'm wondering if you have 12. ·any knowledge about that.	
13. . . . MS. CONNELL: Objection; misstates the	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>14· ·document, assumes facts, lacks foundation, 15· ·argumentative, and calls for speculation. 16· ·· · THE WITNESS: I don't know what each 17· ·manager considers when they -- when they do determine 18· ·compensation for their employees. I can only speak 19· ·to the -- the documents that we provided you with 20· ·this and something else, as far as the overall 21· ·that -- that -- the PowerPoint training package, so I 22· ·can't really -- I can't really speak to what each 23· ·manager considers when they determine who is paid 24· ·what.</p>	
<p>169:10-170:15</p> <p>10· ·· · MS. CONNELL: Shauna, did you want to 11· ·clarify something? 12· ·· · THE WITNESS: Oh, okay. Yes. You asked 13· ·about -- about the plan and one of the -- one of the 14· ·areas that we discussed I brought up that the 15· ·Affirmative Action Plan narrative is on the internal 16· ·website for employees, they have access to that. And 17· ·I just wanted to clarify that it's only the 18· ·narrative. There's no statistical analysis that's -- 19· ·that's included with that. And it's both the -- the 20· ·one for race and gender and then also the individuals 21· ·with disability and protected veteran one. 22· ·BY MS. BREMER: 23· ·· · Q· Okay. So can you turn back to the 24· ·Affirmative Action Plan -- 25· ·· · A· Sure.</p> <p>170</p> <p>1· ·· · Q· -- which is Exhibit 21? 2· ·· · A· Sure. Sure. 3· ·· · Q· Using the page numbers, can you tell me 4· ·which pages are available to employees on the website 5· ·and which are not? 6· ·· · A· Just the written narrative. Only the 7· ·narrative section and the statistical analysis. So 8· ·it would be through 16. On this one, yeah. 9· ·· · Q· Right. So pages 1 through 16 -- 10· ·· · A· Yes. 11· ·· · Q· -- would be available.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
12. . . . A. Yeah, none of this. None of the workforce 13. analysis. 14. . . . Q. So pages -- 15. . . . A. 1 through 16.	
171:12-172:20 12. . . . Q. Do you recognize Exhibit 26? 13. . . . A. Yes. 14. . . . Q. And did you provide Exhibit 26 to OFCCP in 15. response to OFCCP's request for Oracle's compensation 16. policies? 17. . . . A. I think I did, but with the number of 18. audits we've had, I'd have to review the submissions 19. to absolutely verify, but it looks like something 20. that I would have provided. 21. . . . Q. Who prepared this document? 22. . . . A. Sue Charlie, and I believe Lisa Gordon 23. helped her. 24. . . . Q. Who is Sue Charlie? 25. . . . A. She used to be the vice president of 172 1. compensation. She's retired. 2. . . . Q. Is -- was this document "Compensation 3. Review and Oversight" prepared for OFCCP audits? 4. . . . A. Yes. 5. . . . Q. And did your team provide the compensation 6. review and oversight to OFCCP in response to all 7. audits? 8. . . . MS. CONNELL: Objection; calls for 9. speculation. 10. . . . THE WITNESS: I would have to look and see 11. what each auditor requested in order to be able to 12. answer that question. So I don't recall on which 13. audits it was submitted. 14. BY MS. BREMER: 15. . . . Q. Okay. But if -- if OFCCP requested 16. Oracle's compensation policies, then this document 17. would have been provided in response? 18. . . . MS. CONNELL: Objection; incomplete 19. hypothetical. 20. . . . THE WITNESS: Yes.	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>173:20-174:10</p> <p>20· How does Oracle ensure that employees were 21· paid in a fair and nondiscriminatory manner? 22· . . . MS. CONNELL: Objection; lacks foundation, 23· calls for speculation and calls for a legal 24· conclusion. 25· . . . THE WITNESS: I can't speak for every</p> <p>174</p> <p>1· supervisor, but by the review process that we started 2· looking at internal pay equity within these work 3· groups when employees first start with the company 4· and the manager determines an equitable pay amount 5· through the focal review, where employees can receive 6· increases through any kind of bonus allocation and -- 7· and any other kind of incentive allocation, like 8· stocks. I would -- I would hope that -- that 9· managers would follow that. But that would be 10· determined -- be determined by that.</p>	
<p>174:12-177:1</p> <p>12· . . . Q· Okay. So Oracle's -- so are you saying 13· that individual managers -- that Oracle relied on 14· individual managers to ensure that employees were 15· paid in a fair and nondiscriminatory manner? 16· . . . A· I'm telling you -- I'm not saying that; I'm 17· saying that it's the manager's responsibility to 18· review all compensation within -- within their work 19· groups with regard to pay equity. 20· . . . Q· So it's the manager's responsibility to 21· review compensation within their work groups to 22· ensure pay equity? 23· . . . A· I'm saying it kind of in a different way 24· than you're saying it. I'm saying that managers 25· determine -- look at pay equity within their work</p> <p>175</p> <p>1· group, and they determine pay. Now, I -- I don't 2· know what other responsibilities are other than 3· that -- I don't know if "responsibility" is the right 4· word -- but that's one of their -- one of the areas 5· that managers do. 6· . . . Q· So you're saying that managers would do two</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>7· things: They would look at equity within their work 8· group and they would determine pay? 9· . . . A. Yes, that's my understanding. 10· . . . Q. So they weren't necessarily responsible for 11· ensuring equity when they determined pay? 12· . . . MS. CONNELL: Objection; calls for 13· speculation. Calls for a legal conclusion. 14· . . . THE WITNESS: Yeah, you would have to look 15· at that slide again on the pay training. I would 16· refer you to that slide, and that will give you 17· exactly the information and verbiage with regard to 18· managers and their responsibility towards pay. 19· BY MS. BREMER: 20· . . . Q. Okay. And what did your -- what did 21· Oracle's compliance group do to ensure that employees 22· were paid in a fair and nondiscriminatory manner? 23· . . . MS. CONNELL: Objection; assumes facts, 24· lacks foundation. 25· . . . THE WITNESS: It's not our -- it's not part</p> <p>176</p> <p>1· of my team's responsibility to -- to assess pay in 2· all of these small groups. My team -- any kind of 3· pay analysis by my team was done under 4· attorney-client work product, and was submitted to 5· our attorneys as part of their work product and as 6· part of privileged information, you know, in the 7· assessment of pay. 8· BY MS. BREMER: 9· . . . Q. Was it a part of your team's responsibility 10· to assess pay in large groups, large employee groups? 11· . . . MS. CONNELL: Objection; vague. 12· . . . THE WITNESS: Any -- any -- any -- any 13· analysis that we did was done under attorney-client 14· work product. I -- I can tell you that -- 15· . . . MS. CONNELL: Well, I'm going to instruct 16· you not to answer -- 17· . . . THE WITNESS: Okay. 18· . . . MS. CONNELL: -- as to the -- 19· . . . THE WITNESS: Okay. 20· . . . MS. CONNELL: -- specifics of any -- 21· . . . THE WITNESS: Okay. I'm sorry. 22· . . . MS. CONNELL: -- privileged analysis -- 23· . . . THE WITNESS: Privileged.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
24 · · · MS. CONNELL: -- that you conducted. 25 · · · THE WITNESS: Yeah, we just -- everything 177 1 · was under attorney-client work product.	
183:16-184:7 16 · · · Q: Have you pulled information -- okay. 17 · Looking back at -- at Exhibit 26, the Compensation 18 · Review and Oversight document. 19 · · · A: Sure. Sure. 20 · · · Q: And that is a document that you provided to 21 · OFCCP -- 22 · · · A: Yes. 23 · · · Q: -- if you look at the bottom, it says 24 · "Attachment: Compensation Guidelines"? 25 · · · A: Okay. Yeah. 184 1 · · · Q: So would Exhibit 27 have been the 2 · compensation guidelines that you sent to OFCCP? 3 · · · MS. CONNELL: Objection; calls for 4 · speculation, asked and answered. 5 · · · THE WITNESS: Yeah, I believe so. Based 6 · off of -- it appears like something that I would have 7 · sent to them.	
185:20-186:19 20 · · · Q: And the com -- the compliance team doesn't 21 · have any involvement in setting the budget for salary 22 · increases? 23 · · · A: None. 24 · · · Q: Does the compliance team conduct any 25 · compensation analyses for the -- for either the 186 1 · executive vice presidents or senior vice presidents 2 · who are setting the budgets? 3 · · · A: No. 4 · · · Q: Does the compliance team conduct any 5 · compensation analyses for the managers who are 6 · distributing pay? 7 · · · A: No.	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>8 ··· Q· Okay. Under -- on the next page there's a 9 · section on global corporate bonus. 10 ··· A· Okay. I've got to find it. 11 · Okay. Yes. 12 ··· Q· It says, "Bonuses are discretionary." Who 13 · determines if Oracle will award bonuses each year? 14 ··· MS. CONNELL: Objection; lacks foundation, 15 · assumes facts, and calls for speculation. 16 ··· THE WITNESS: Somebody higher than my pay 17 · grade determines if there is going to be a bonus -- a 18 · bonus for the year, but it's the manager that 19 · determines who gets the bonus.</p>	
<p>189:2-192:12</p> <p>2 · (Marked for identification Exhibit 28.) 3 ··· THE WITNESS: Thank you. 4 · BY MS. BREMER: 5 ··· Q· I want to turn your attention first to the 6 · bottom of the page where it says "SHH 1-8-15." 7 · Do you see that? 8 ··· A· Yes. 9 ··· Q· What does that footer indicate? 10 ··· A· Those are my initials. 11 ··· Q· Okay. Does that indicate -- did you draft 12 · this analysis of pay at Oracle? 13 ··· A· I drafted it with the help of outside 14 · counsel, and also the input of the compensation 15 · department. 16 ··· Q· And was it drafted on or about January 8th, 17 · 2015? 18 ··· A· I don't recall when it was drafted, because 19 · there could have been some revisions. And that could 20 · have been a revision date there; I don't remember. 21 · But it could have been the revision date to 22 · differentiate from earlier versions. 23 ··· Q· Okay. Did you -- did you provide this 24 · analysis of pay at Oracle to OFCCP during its 25 · compliance audit of HQCA?</p> <p>190</p> <p>1 ··· A· I believe I did. 2 ··· Q· And is this analy -- did you send Exhibit 3 · 28 to OFCCP in the desk audit phase? 4 ··· MS. CONNELL: Objection; calls for</p>	<p>Errata: A. I believe this was submitted to the OFCCP during its audit of Cambridge. I do not know whether this was submitted in response to OFCCP's requests relating to the audit of HQCA or any</p>

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>5· speculation.</p> <p>6· ··· THE WITNESS: I don't know.</p> <p>7· ··· MS. CONNELL: Does your -- just for the --</p> <p>8· ·am I supposed to have two pages? Does the exhibit</p> <p>9· ·have two pages?</p> <p>10· ··· MS. BREMER: Oh, no, just one, one page.</p> <p>11· ··· MR. GARCIA: Well --</p> <p>12· ··· THE WITNESS: Okay, no problem or is there</p> <p>13· ·a different one?</p> <p>14· ··· MS. BREMER: I know. I'm just using this</p> <p>15· ·one.</p> <p>16· ··· MR. GARCIA: Okay.</p> <p>17· ··· MS. BREMER: You can just --</p> <p>18· ··· THE WITNESS: Okay. Yeah, it could have</p> <p>19· ·been -- this could indicate the revision. There may</p> <p>20· ·be some differences. I don't know; I'd have to read</p> <p>21· ·it.</p> <p>22· ·BY MS. BREMER:</p> <p>23· ··· Q· And that's -- that's the second page?</p> <p>24· ··· A· It could be, but I don't know when. That's</p> <p>25· ·why I was trying to tell you that I believe this is a</p> <p>191</p> <p>1· ·revision date to differentiate, so we don't get it</p> <p>2· ·mixed up with something else.</p> <p>3· ··· Q· And the page -- the second page does not</p> <p>4· ·have a footer. Correct?</p> <p>5· ··· A· Correct.</p> <p>6· ··· Q· Okay. So the first sentence of the</p> <p>7· ·analysis of pay at Oracle says, "When analyzing pay</p> <p>8· ·information, evaluating pay based on supervisor is</p> <p>9· ·the most accurate method of analysis at Oracle."</p> <p>10· ·What was the basis of that statement?</p> <p>11· ··· A· I think it's followed up in the second</p> <p>12· ·sentence where it says, "Supervisor typically denotes</p> <p>13· ·the different" -- "the different line of business</p> <p>14· ·and/or product the employee is working on."</p> <p>15· ··· Q· Okay. And you indicated that this document</p> <p>16· ·was drafted with the help of outside counsel, as well</p> <p>17· ·as people in the compensation department?</p> <p>18· ··· A· Yes.</p> <p>19· ··· Q· Who in the compensation department did you</p> <p>20· ·consult with?</p> <p>21· ··· A· I would have sent this to Lisa Gordon, but</p>	<p>others. I would have to check the emails to know for sure.</p>

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>22· ·I don't know who on her team provided input. 23· ··· Q· Okay. Did you consult with anyone else in 24· ·drafting the analysis of pay at Oracle? 25· ··· A· Kind of -- a different kind of consultant.</p> <p>192</p> <p>1· ·This was done at the request of one of our OFCCP 2· ·audits, and they requested this information organized 3· ·in this -- in this answering questions they had. 4· ··· Q· And what audit was that? 5· ··· A· Cambridge, Massachusetts. 6· ··· Q· When was that audit? 7· ··· A· Somewhere around this time frame, but I 8· ·can't say exactly without looking at documents. 9· ··· Q· Okay. And did you consult with anyone else 10· ·in drafting the analysis of pay at Oracle, such as 11· ·consultants, labor economists? 12· ··· A· No.</p>	
<p>198:10-24</p> <p>10· ··· Q· Is Exhibit 29 a true and correct copy of 11· ·e-mails between you and Hoan Luong of OFCCP between 12· ·February 17th, 2015 and February 26th, 2015? 13· ··· A· Yes. 14· ··· Q· And the e-mail at the top, dated February 15· ·26, 2015, indicates that it's got an attachment, 16· ·"Global Compensation Training-2011 Managing Pay Final 17· ·PowerPoint." 18· ··· A· Yes. 19· ··· Q· Is the Global Compensation Training 20· ·Managing Pay module, which is Bates stamped 21· ·ORACLE_HQCA 407, a true and correct copy of the 22· ·global compensation training that you provided to 23· ·OFCCP, along with the notes to that PowerPoint? 24· ··· A· I believe so.</p>	
<p>203:2-204:12</p> <p>2· · (Marked for identification Exhibit 30.) 3· ··· THE WITNESS: Thank you. 4· ·Here you go. 5· ··· MS. CONNELL: Thanks. 6· ·BY MS. BREMER: 7· ··· Q· Is this a true and correct copy of the</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>8· letter that you received from Hea Jung Atkins of 9· OFCCP on or about April 27th, 2015? 10· . . . A· I believe it is, yes. 11· . . . Q· And OFCCP was requesting additional 12· information from Oracle. Correct? 13· . . . A· Yes. 14· . . . Q· And that was part of its compliance audit 15· it was doing at HQCA? 16· . . . A· Yes. 17· . . . Q· And did you understand OFCCP to be 18· requesting the history of jobs and salary history for 19· Oracle employees? 20· . . . MS. CONNELL: Objection, the document 21· speaks for itself, and calls for speculation. 22· . . . THE WITNESS: Which item are you referring? 23· BY MS. BREMER: 24· . . . Q· Item 2. 25· . . . A· 2, okay.</p> <p>204 1· Yes. 2· . . . Q· And in item 7, OFCCP was also requesting 3· that the compensation database for 2014 be 4· resubmitted so that it included additional data. 5· Right? 6· . . . A· Correct. 7· . . . MS. CONNELL: Objection; the document 8· speaks for itself. 9· BY MS. BREMER: 10· . . . Q· Including data for educational background. 11· Right? 12· . . . A· Yes.</p>	
<p>204:13-14 13· . . . MS. CONNELL: Objection; the document 14· speaks for itself.</p>	
<p>204:15-205:1 15· . . . MS. BREMER: Okay. I'm going to mark as 16· Exhibit 31, a document Bates numbered ORACLE_HQCA 34. 17· It's an e-mail from Shauna Holman-Harries to Hea Jung 18· Atkins, dated June 2nd, 2015.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>19· · (Marked for identification Exhibit 34.) 20· · · · THE WITNESS: Thank you again, ma'am. 21· · · · THE REPORTER: Yes. 22· · BY MS. BREMER: 23· · · · Q· Is Exhibit 31 a true and correct copy of an 24· e-mail that you sent to Hea Jung Atkins of OFCCP on 25· or about June 2nd, 2015?</p> <p>205 1· · · · A· I believe it is, yes.</p>	
<p>208:14-209:24</p> <p>14· · · · Q· Okay. It says -- okay. It also says that, 15· in response to your request number 3 -- which, as we 16· saw, dealt with pay equity? 17· · · · A· Which -- which one? Item 3? 18· · · · Q· Yes, item number 3 -- 19· · · · A· Yes. 20· · · · Q· -- in your 20 -- April 27th letter 21· regarding internal pay equity analysis, you said, "I 22· refer to the lengthy interview conducted with Lisa 23· Gordon by Brian Mickel over two days on January 9th 24· and 13th, 2015." Right? 25· · · · A· Correct.</p> <p>209 1· · · · MS. BREMER: Okay. I'm going to mark as 2· Exhibit Number 32, a document that -- well, it's 3· Bates numbered DOL 575 through 593, and the date at 4· the top is January 9th, 2015, and it lists Oracle 5· participants as Lisa Gordon, Neil Bourque, Lida 6· Daniel, and Shauna Holman-Harries. 7· (Marked for identification Exhibit 32.) 8· · · · THE WITNESS: Thank you. 9· · BY MS. BREMER: 10· · · · Q· Is this the Lisa Gordon interview that you 11· were referencing in your June 2nd, 2015 e-mail? 12· · · · MS. CONNELL: Objection; mis -- assumes 13· facts, lacks foundation, and misrepresents the 14· document. 15· · · · THE WITNESS: Yes. 16· · BY MS. BREMER: 17· · · · Q· Is that -- is this a true and correct copy 18· of the Lisa Gordon interview that you were</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
19· referencing in your June 2nd, 2015 e-mail? 20· . . . MS. CONNELL: Objection; lacks foundation. 21· . . . THE WITNESS: June -- I'm trying to find 22· that. 23· . . . MS. CONNELL: These appear to be OFCCP's 24· notes of the interview.	
210:21-211:24 21· . . . A. Okay. All right. Thank you. 22· Okay. And what was the question that you 23· wanted me to confirm? Is this -- the Lisa Gordon 24· interview, are you asking me if this is the same 25· interview referenced in this April 27th e-mail? 211 1· . . . Q. Yes. If it's a true and correct copy of 2· the interview that you were referring to in your 3· e-mail to Hea Jung Atkins on June 2nd, 2015? 4· . . . MS. CONNELL: Objection; in that it 5· misstates the document and calls for speculation. 6· . . . THE WITNESS: So you're referring to the 7· first paragraph? 8· . . . MS. CONNELL: She's -- 9· BY MS. BREMER: 10· . . . Q. I'm re -- 11· . . . MS. CONNELL: Sorry. 12· . . . THE WITNESS: No, I just want to verify 13· that this is what you're -- that in this first 14· paragraph am I referring to this? 15· BY MS. BREMER: 16· . . . Q. Yes. 17· . . . A. Yes. 18· . . . Q. And when you say "this," you're talking 19· about -- 20· . . . A. I'm talking about -- 21· . . . Q. -- Exhibit 32? 22· . . . A. Yes, Exhibit 32, yes. 23· . . . Q. And that's the interview of Lisa Gordon? 24· . . . A. Yes.	
212:5-216:25 5· . . . Q. And you attended Lisa Gordon's interview by 6· OFCCP. Right?	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>7 · · · · A. Yes. 8 · · · · Q. And you were asking OFCCP to rely on Lisa 9 · Gordon’s interview statement. Correct? 10 · · · · MS. CONNELL: Objection; misstates the 11 · document. 12 · · · · THE WITNESS: I don’t -- I don’t see 13 · anyplace in there where I’m asking you to rely on -- 14 · on the interview. I’m just asking -- I’m just 15 · referencing the interview. 16 · BY MS. BREMER: 17 · · · · Q. And you were referencing the interview in 18 · response to the question about internal pay equity 19 · analyses. Correct? 20 · · · · A. I -- I can’t say with any certainty that 21 · that’s what I was referencing. 22 · · · · Q. Okay. So in -- in the e-mail, which is 23 · Exhibit 31, you say “I’m sending this e-mail in 24 · response to your request number 3 in your April 27th 25 · letter regarding internal pay equity” –</p>	
<p>213 1 · · · · A. Yes. 2 · · · · Q. -- “analyses. To answer your question, I 3 · refer you to the lengthy interview conducted with 4 · Lisa Gordon by Brian Mickel over two days on January 5 · 9th and January 13th, 2015.” 6 · Correct? 7 · · · · A. Yes. 8 · · · · Q. So in response to the question regarding 9 · internal pay equity analyses by OFCCP, you were 10 · referencing or referring OFCCP to Lisa Gordon’s 11 · interview, which is Exhibit Number 32. Right? 12 · · · · MS. CONNELL: Objection; in that Exhibit 32 13 · is the interview. It lacks foundation. 14 · · · · THE WITNESS: Okay. So this is the 15 · interview. So -- 16 · BY MS. BREMER: 17 · · · · Q. Exhibit 32 is the interview? 18 · · · · A. Yes. 19 · · · · Q. Right. And that’s the interview that you 20 · were telling OFCCP to look at with respect to 21 · internal pay equity analyses. Right? 22 · · · · MS. CONNELL: Lacks foundation, misstates 23 · her testimony. And it misrepresents the document.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
24 · · · THE WITNESS: No, I'm -- I'm -- this -- it 25 · would be information that -- that she provided. I –	
214	
1 · I don't recall if there's anything in here with 2 · regard to internal pay equity analysis. But I 3 · would -- I would really have to -- to look over this 4 · document. And I don't believe -- I don't see 5 · anything with regard to internal pay equity analysis 6 · that this -- that this is related. I would have to 7 · really spend some time on --	
8 · BY MS. BREMER:	
9 · · · Q· Okay. Well, I'm just looking -- looking 10 · back on the top of this, you say, "I refer you to the 11 · lengthy interview conducted with Lisa Gordon by Brian 12 · Mickel over two days, on January 9th and 13th, 2015." 13 · If you look at Exhibit 32, the date, it says January 14 · 9th, 2015, continued on January 13th --	
15 · · · A· Right.	
16 · · · Q· -- 2015. When -- I'm just trying to 17 · establish that Exhibit 32 is what you were 18 · referencing in your e-mail to Hea Jung on June 2nd, 19 · 2015?	
20 · · · MS. CONNELL: And I'll just -- again, 21 · assert an objection that it misrepresents the 22 · e-mail --	
23 · · · THE WITNESS: It does.	
24 · · · MS. CONNELL: -- and it lacks foundation.	
25 · It also misrepresents 32, Exhibit 32.	
215	
1 · · · THE WITNESS: Yeah, if you look at this, on 2 · item number 3, it says "pay equity analysis" in the 3 · very first sentence, and if you look at this 4 · particular e-mail, and this is, I think, where my 5 · confusion is, it refers to a letter that talks about 6 · pay analysis, but it's not the pay analysis.	
7 · BY MS. BREMER:	
8 · · · Q· And you're talking -- and the letter that's 9 · referenced is what we just went over in Exhibit 30. 10 · Right?	
11 · · · A· Yeah.	
12 · · · Q· The April 27th letter?	
13 · · · A· Yeah. If you see it, it says, "Dates of	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>14· internal pay equity analysis conducted during the 15· first three years, as required under 60-2.17 for each 16· analysis includes,” and it says “dataset for the 17· analysis and actions taken, if any, as a result.” 18· That’s -- that’s your particular letter. 19· Right? 20· . . . Q· Right. So that’s the request was Exhibit 21· 30. And then you’re responding, in Exhibit 31, 22· right, to Exhibit 30? 23· . . . A· And -- and with regard to that, this is 24· asking for dates of the internal pay equity analysis. 25· Right? This doesn’t reference Lisa Gordon’s</p>	
<p>216 1· interview, and in this first sentence, there’s 2· nothing here that talks about the dates of the 3· internal pay equity analysis. All it does is it 4· provides information with regard to the pay review 5· process. 6· . . . Q· Okay. But -- 7· . . . A· So that’s -- that’s what the mismatch is. 8· So this would be something that would provide -- Lisa 9· Gordon’s interview would provide information, but 10· this request is for the dates of the internal pay 11· equity analysis conducted during the past three 12· years. So they’re two different items. 13· . . . Q· Okay. But my question is, the interview by 14· Lisa Gordon that you were asking Hea Jung Atkins to 15· refer to is Exhibit 31. Correct? 16· . . . MS. CONNELL: And I’ll just, again, assert 17· that Exhibit 31 isn’t an interview. 18· . . . MS. BREMER: Or 32, I’m sorry. 19· . . . Q· Exhibit 32, you were referencing Lisa 20· Gordon’s interview, which is Exhibit 32. Correct? 21· . . . MS. CONNELL: Objection; misstates her 22· testimony, and misstates the documents. 23· . . . THE WITNESS: I’m -- I’m referencing this, 24· but not in the context that you’re asking the 25· question.</p>	
<p>217:21-224:2 21· . . . THE WITNESS: Laura, I have a couple things 22· to clear up. The first one is when we were</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
23· ·discussing this before the break, there was a little 24· ·bit of confusion on my part, because I really wasn't 25· ·looking at the verbiage with regard to this document.	
218 1· ·And I just want to make it clear, and I told you I 2· ·hadn't reviewed this, you know, I don't remember a 3· ·lot of this stuff, especially about what Lisa said. 4· ·But I -- and I know this is your summary, okay, I 5· ·know this is your summary. 6· ·What I was referring to in there was the 7· ·actual interview that took place, not the summary. 8· ·BY MS. BREMER: 9· ··· Q· So you were referencing the ac -- the 10· ·actual interview that took place? 11· ··· A· And not -- not the copy of the summary, 12· ·because I'm not -- not familiar, you know, with the 13· ·summary. Like I told you during it, I would have to 14· ·look through this, I'm not totally familiar with 15· ·everything that was said in this. So I was 16· ·referencing the actual interview that took place. 17· ··· Q· Okay. I want to turn -- refer you back to 18· ·Exhibit 17. 19· ··· A· Sure. I've got to find it. 20· ··· Q· And this Exhibit 17 is your declaration -- 21· ··· A· Yes. 22· ··· Q· -- that was filed in the Jewett case. 23· ··· A· Oh, wait a minute, I've got the wrong one. 24· ·Just a minute. Just a minute. 25· ··· MR. GARCIA: This is what it looks like.	
219 1· ··· THE WITNESS: Yeah, yeah. Here it is. 2· ·Okay. 3· ·BY MS. BREMER: 4· ··· Q· Okay. Again, this is the declaration that 5· ·you filed in the -- 6· ··· A· Yes. 7· ··· Q· -- or that you have signed that was filed 8· ·in the Jewett case. Correct? 9· ··· A· Yes. 10· ··· Q· And if you look at the end of paragraph 4, 11· ·you say "I did not" -- that attached as Exhibit A is 12· ·a true and correct copy of OFCCP's interview summary,	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
13· and that's the interview summary of Lisa Gordon. 14· Correct? 15· . . . A· The OFCCP's interview summary, yes. 16· . . . Q· Okay. And that's true, that this is a true 17· and correct copy of -- of the interview statement 18· for -- of OFCCP's report of Lisa Gordon's interview? 19· . . . A· That's OFCCP's copy of the interview, but I 20· can't say for certain, because, like I was telling 21· you, I would have to look at that; I'm not familiar. 22· I can't attest to what was said. I don't recall what 23· was said during the interview. 24· . . . Q· But it was a true and correct copy of 25· OFCCP's interview summary of Lisa Gordon's interview.	
220	
1· Right? 2· . . . A· I can't say with any certainty. That's 3· what I was trying to tell you when I was fumbling 4· through all of the papers is that I would have to 5· review this. I can't tell you if it was a true and 6· accurate interview summary. 7· . . . Q· Okay. Okay. You stated in your 8· declaration it that was filed in the Jewett case that 9· Exhibit A to your declaration is a true and correct 10· copy of OFCCP's summary of the interview of Lisa 11· Gordon. Correct? 12· . . . MS. CONNELL: Objection; the document 13· speaks for itself. 14· . . . THE WITNESS: In here I say, "I did not 15· personally review this summary for accuracy, but 16· understand that it was sent to Ms. Gordon and she 17· signed the interview on around February 11th, 2015." 18· BY MS. BREMER: 19· . . . Q· Okay. But that was not my question. My 20· question is you stated that it was a true and correct 21· copy of OFCCP's interview summary of Lisa Gordon's 22· interview. Correct? 23· . . . A· No. 24· . . . MS. CONNELL: Objection; the document 25· speaks for itself.	
221	
1· . . . THE WITNESS: What I was trying to tell you 2· is I would have to read this, and I don't recall what	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>3· ·happened in that interview. So I don't know what is 4· ·true and factual with what she said. I don't recall 5· ·her statements during that interview. I mean, all I 6· ·meant by this is that this looks like a copy of the 7· ·interview, but as with regard to anything that's 8· ·stated in this interview, I can't say that it was 9· ·true or factual, because I can't speak for Lisa, and 10· ·I don't recall everything that was said during that 11· ·interview. 12· ·BY MS. BREMER: 13· ··· Q· Okay. Again, though, that was not my 14· ·question. My question is just whether Exhibit A 15· ·attached to your declaration that was filed in the 16· ·Jewett case is a true and correct copy of OFCCP's 17· ·interview summary of the interview of Lisa Gordon? 18· ··· A· And that's what I'm -- 19· ··· MS. CONNELL: Objection; the document 20· ·speaks for itself. 21· ··· THE WITNESS: And that's where the 22· ·confusion is. I don't recall what Lisa said during 23· ·that interview. I don't recall her statements. 24· ·We're talking about something that's years old. I 25· ·cannot attest to the accuracy of what or -- or</p>	
<p>222 1· ·anything about what Lisa said or what I heard there, 2· ·because I don't remember. 3· ·BY MS. BREMER: 4· ··· Q· Okay. So are you saying now that Exhibit A 5· ·is not a true and correct copy of the -- the -- 6· ··· A· It's a copy that the OFCCP provided, but I 7· ·can't attest to -- I can say that this appears to be 8· ·a copy that OFCCP provided, but if you -- if you look 9· ·at this, it says, "I do not have an independent 10· ·recollection of the statements made by Ms. Gordon 11· ·during the OFCCP interview, and thus, cannot verify 12· ·the accuracy of the interview summary." 13· ·So that's what I'm saying. I can say that 14· ·this is your copy, but I can't verify the accuracy of 15· ·the -- of -- of the summary. So -- 16· ··· MS. BREMER: Okay. I'd like to mark as 17· ·Exhibit 33. 18· ··· MS. CONNELL: I think Shauna had another 19· ·point of clarification.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>20· . . . THE WITNESS: Oh, and I'm trying to 21· ·remember what that was. Oh, this is the most 22· ·important one. 23· ·Oh, yes, on this -- this, do you recall how 24· ·I said that there were different versions? And I 25· ·don't know if -- of this, it's Exhibit 28, I don't</p> <p>223</p> <p>1· ·recall which one of these versions went to -- went in 2· ·on the audit or if any of them did. I know we 3· ·submitted them on audits. I'd have to look back at 4· ·the e-mails to see if one of these versions went to 5· ·the OFCCP. And of -- and if you look, there are two 6· ·different -- two different versions here. And so I 7· ·don't know if one of them went in on the particular 8· ·HQ audit. I know we prepared it for the Cambridge 9· ·audit. I can't recall off the top of my head which 10· ·locations got this particular analysis. And/or which 11· ·version was sent in, because you're looking -- if you 12· ·look at this, it looks like there's two different 13· ·versions here. But maybe -- it may be the same, but 14· ·I'd have to look at it, you know, sentence by 15· ·sentence. 16· ·But you can see that there are some 17· ·differences at the bottom in the placement of the 18· ·paragraphs, but I'd have to read it to determine 19· ·that. And that I wanted to make sure you were clear 20· ·on that, because I -- 21· ·BY MS. BREMER: 22· . . . Q· So you don't recall one way or the other, 23· ·sitting here today, whether or not the analysis of 24· ·pay at Oracle was sent to OFCCP as part of the 25· ·HQCA audit?</p> <p>224</p> <p>1· . . . A· I'd have to refer to the e-mails to be 2· ·absolutely certain.</p>	
<p>224:22-237:12</p> <p>22· . . . MS. BREMER: Okay. I'd like to mark as 23· ·Exhibit 33, a red-lined document that is dated 24· ·January 9th, 2015, continued on January 13th, 2015, 25· ·with Oracle participants Lisa Gordon, Neil Bourque,</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>225 1 · Lida Daniel and Shauna Holman-Harries. 2 · (Marked for identification Exhibit 33.) 3 · · · · THE WITNESS: Thank you. 4 · BY MS. BREMER: 5 · · · · Q. Okay. After OFCCP -- 6 · · · · MS. CONNELL: For the record, Counsel, has 7 · this been produced? 8 · · · · MS. BREMER: I don't believe so. 9 · · · · MS. CONNELL: Do you want to lay a 10 · foundation for it? 11 · · · · MS. BREMER: Well, we're producing -- this 12 · is from OFCCP's files. We're producing it now. 13 · · · · MS. CONNELL: Why wasn't it produced 14 · before? 15 · · · · MR. GARCIA: It also wasn't produced to us 16 · before either, I'm putting on the record. 17 · · · · MS. CONNELL: What is it? 18 · · · · MR. GARCIA: This is a document that was 19 · sent from Shauna Holman-Harries, laying the 20 · foundation, to us, because OFCCP originally sent its 21 · interview of Shauna Holman-Harries -- or, correction, 22 · Lisa Gordon to Shauna Holman-Harries. Lisa Gordon 23 · made edits. Shauna Holman-Harries sent it back to 24 · OFCCP. And then OFCCP sent the document at Exhibit 25 · 32 for Shaun -- for Lisa Gordon to sign. That's the</p>	
<p>226 1 · foundation. So we did not receive -- 2 · · · · MS. CONNELL: Because it's in connection 3 · with the Pleasanton audit and this litigation relates 4 · to the HQ audit. 5 · · · · MR. GARCIA: No, you produced the Lisa 6 · Gordon signed interview in this litigation, but not 7 · this. 8 · · · · THE WITNESS: Yes, this was in regards to 9 · the Pleasanton audit, though, yeah. 10 · · · · MR. GARCIA: Okay. So you recognize the 11 · document? 12 · · · · THE WITNESS: I know that -- I don't 13 · recognize the document. All I can say is that -- 14 · that I was kind of like the messenger, the mailman, 15 · in that it was sent to me. I didn't read it. I sent 16 · it directly over to Lisa, Lisa made changes, and I</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
17· sent it back. 18· . . . MR. GARCIA: With the changes? 19· . . . THE WITNESS: With -- well, whatever 20· changes she made. She said she made changes. 21· BY MS. BREMER: 22· . . . Q· And Exhibit 33 contains the changes that 23· Lisa Gordon made to her interview statement? 24· . . . MS. CONNELL: Objection; calls for 25· speculation.	
227	
1· . . . THE WITNESS: I don't recall. I didn't 2· check what the changes were before she sent it back. 3· BY MS. BREMER: 4· . . . Q· But she did tell you that she made changes 5· to her interview statement? 6· . . . A· Yes. 7· . . . Q· And then you forwarded those changes to 8· OFCCP? 9· . . . A· Yes, as a mailman. But I did not read 10· them. 11· . . . Q· Did you make any changes to Lisa Gordon's 12· interview statement? 13· . . . A· I don't believe so. 14· . . . MS. CONNELL: I'll just object for the 15· record that this wasn't produced prior to her 16· deposition. 17· . . . MR. GARCIA: And we're also noting for the 18· record that it was not produced to us also prior to 19· the deposition, even though Oracle identified the 20· signed Lisa Gordon interview and provided documents 21· related to the signed Lisa Gordon interview prior to 22· the deposition. 23· . . . THE WITNESS: Yeah, these were all her -- 24· her edits. I don't recall seeing this. 25· . . . MS. CONNELL: And for the record, we did	
228	
1· not produce the Lisa Gordon interview in this 2· litigation except as an attachment to the declaration 3· of Shauna Holman-Harries, because it was a document 4· in the Jewett litigation. This document, 32, 5· document was produced by the Department of Labor to 6· us, yet the Department of Labor did not produce it to 7· us, this version.	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>8 · · · MR. GARCIA: And for the record -- for the 9 · record, the document production request requested all 10 · documents related to this. It was used in the Jewett 11 · litigation. Also, for the record, Oracle submitted 12 · documents to us submitting the Lisa Gordon signed 13 · interview communications. So there is no record of 14 · Oracle producing to us the document at Exhibit 33, 15 · even though it's related to the document production 16 · request that OFCCP made to Oracle, and would be 17 · responsive thereto. 18 · · · MS. CONNELL: No, you're wrong. But let's 19 · continue. My objection stands to producing surprise 20 · exhibits to witnesses during depositions that have 21 · not been produced before. 22 · · · MR. GARCIA: And I guess we note that 23 · Oracle previously had this document in its 24 · possession, which you acknowledged. 25 · · · MS. CONNELL: I didn't acknowledge that.</p>	
<p>229</p>	
<p>1 · BY MS. BREMER: 2 · · · Q. Okay. So as the messenger between OFCCP 3 · and Lisa Gordon, you delivered Exhibit 33 to OFCCP. 4 · Right? 5 · · · A. Yes. Let me finish looking over it, if you 6 · wouldn't mind. 7 · Yeah, there would be some edits to my 8 · statements, it looks like that I made, but all the 9 · other edits were Lisa's. 10 · · · Q. So which edits do you think that you made 11 · to Lisa Gordon's interview -- 12 · · · A. Oh, I didn't -- 13 · · · Q. -- in Exhibit 33? 14 · · · A. -- I didn't make any to her interview. 15 · · · Q. To the -- to the summary of the interview, 16 · which is Exhibit 33. 17 · · · A. Just any statement that I made. I didn't, 18 · like, pay attention to anything that she said. 19 · · · Q. Okay. So you made -- 20 · · · A. Just on the work unit flow. 21 · · · Q. Where -- what page are you looking at? 22 · · · A. On page 3. 23 · · · Q. So on page 3 under work unit throw -- flow? 24 · · · A. I would have -- I think -- I may have, or I</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>25· may not have, because I usually don't worry about</p> <p>230</p> <p>1· capitalization. I can't recall which ones, but if I 2· did, it would have been just to the work unit flow 3· information. And then there's another reference to 4· it on page 5. 5· . . . Q· On page 5, where it says "Holman-Harries 6· will provide an acronym legend," you think that's an 7· edit that you made? 8· . . . A· (No audible response.) 9· . . . Q· Okay. There's -- there's two colors -- 10· . . . A· Yeah, but -- 11· . . . Q· -- of edits. Did you make -- are one of 12· these colors yours? 13· . . . A· I know, I was looking at that. But some of 14· the -- some of these edits I would not have made, 15· unless it was in reference to my -- my notes or my -- 16· my statement. I wouldn't have paid attention to her 17· statement. 18· . . . Q· Okay. So -- so you and Lisa both made 19· edits to the report or OFCCP's summary of Lisa 20· Gordon's interview, and then you forwarded the edits 21· to OFCCP? 22· . . . MS. CONNELL: Objection; misstates her 23· testimony. 24· . . . THE WITNESS: That misstates. I would have 25· only made edits with regard to my testimony. And I</p>	
<p>231</p> <p>1· don't recall -- I don't know -- so I wouldn't have 2· said anything about the signing bonus or anything 3· like that. I don't have any knowledge of that. 4· BY MS. BREMER: 5· . . . Q· Okay. So the edits regarding the signing 6· bonus are edits that Lisa Gordon would have made? 7· . . . A· I would think so, yes. 8· . . . Q· Okay. So -- 9· . . . A· They would not have been mine. . 10· . . . Q· Okay. So my question was you -- 11· . . . A· And I don't know if she edited this on two 12· different occasions, but my only -- my only comment 13· would have been, and I don't even know if -- because 14· it's got these things for supervisor and work flow, 15· and there's nothing -- I don't recall any of --</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>16· editing this at all, actually. I'm just trying to 17· assume, and I can't really testify that, because she 18· even has like things like "HP/IBM sales force and 19· workday"; I wouldn't have that information. And I 20· wouldn't have even read that. 21· . . . MS. CONNELL: I'm going to object to the 22· entire -- you have not laid a foundation for this 23· exhibit. It lacks foundation, hasn't been produced. 24· It's not attached to an e-mail, and this witness has 25· now confirmed that she can't lay a foundation for</p>	
<p>232 1· this document. 2· . . . THE WITNESS: Yeah, and I can't -- and if I 3· look at this, I know there's two different colors, 4· and I know that there's this, but I actually think 5· that she -- you know, I don't recall making edits to 6· this, in all honesty, and I'm just trying to figure 7· out why the two colors of edits, and I don't know 8· why. 9· BY MS. BREMER: 10· . . . Q: But you -- 11· . . . A: You know, I don't -- what I'm trying to say 12· is that there's some confusion on my part. I did not 13· look at any of her statements. If I did anything, I 14· would have looked only at my statements. And it 15· looks like this was basically corrected for typos. 16· . . . Q: During the -- during the Pleasanton audit, 17· you attended the Lisa Gordon interview. Correct? 18· . . . A: Yes. 19· . . . Q: And then after that interview, OFCCP 20· provided you with a summary of Lisa Gordon's 21· interview. Correct? 22· . . . A: They sent me one, which I forwarded to her 23· and did not read. 24· . . . Q: Okay. And then she made edits and sent it 25· back to you. Correct?</p>	
<p>233 1· . . . A: Yes. And then I forwarded it on. So even 2· though there's two different colors, these had to be 3· all her edits. 4· . . . Q: Okay. 5· . . . A: Because I do not recall editing this at 6· all --</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>7 ··· MS. CONNELL: Don't speculate. 8 ··· THE WITNESS: -- but I'm not certain. 9 ·BY MS. BREMER: 10 ··· Q. And when you say "this," you're talking 11 ·about Exhibit 33. Correct? 12 ··· A. Yes. I don't recall. 13 ··· Q. Okay. So after you forwarded Lisa Gordon's 14 ·edits of her -- of the summary of her interview -- 15 ··· A. Yeah. 16 ··· Q. -- to OFCCP, did they send back a -- a 17 ·version of this -- of the summary of the interview 18 ·that included the edits? 19 ··· A. They sent -- I -- I -- I don't recall. 20 ··· Q. So after you sent Exhibit 33 to OFCCP, did 21 ·they send back a corrected version of the interview 22 ·summary? 23 ··· MS. CONNELL: Objection; misstates her 24 ·testimony. You haven't established that Exhibit 25 ·33 -- she sent Exhibit 33 anywhere or if she's ever</p> <p>234</p> <p>1 ·seen it before. 2 ··· THE WITNESS: Yeah. Because I'm -- I'm 3 ·looking at this, and the more I look at this, these 4 ·are just data corrections. It's nothing for 5 ·substance. So I don't know who made the corrections 6 ·to this. I do know that I didn't even have the 7 ·information to make some of the corrections to this 8 ·or even the knowledge. So I don't believe I've even 9 ·seen this. I just -- I just recall what my original 10 ·statement was, is that you sent a version to us, I 11 ·forwarded it to Lisa Gordon, she made the edits, and 12 ·I forwarded it back to you. 13 ·BY MS. BREMER: 14 ··· Q. Okay. 15 ··· A. And I do not recall making -- making these 16 ·edits. 17 ··· Q. Okay. But the final version -- or the 18 ·version of Lisa Gordon's interview statement that was 19 ·attached to the Jewett -- to your declaration filed 20 ·in the Jewett case included these corrections -- the 21 ·corrections that were from Exhibit 33. Correct? 22 ··· MS. CONNELL: Objection; the document 23 ·speaks for itself. Are you asking her to go through</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES -- MAY 8, 2019

Page/Line	Objection/Errata
24· each edit and confirm if they're reflected in Exhibit 25· A to her declaration?	
<p>235</p> 1· · · · THE WITNESS: I can't, without comparing 2· each item, I can't tell you exactly what edits were 3· made. 4· BY MS. BREMER: 5· · · · Q. Okay. Is it your understanding that the 6· version of the interview statement that -- I'm sorry. 7· Is it your understanding that Lisa Gordon signed the 8· summary of her interview after her edits had been 9· made to it? 10· · · · MS. CONNELL: Objection; assumes facts. 11· · · · THE WITNESS: I don't -- I don't recall 12· when exactly that she -- you know, when she signed 13· it. It's my understanding that -- that she -- that 14· she did sign it sometime after edits were made, but 15· not before. 16· BY MS. BREMER: 17· · · · Q. And after Lisa Gordon signed her 18· interview -- actually, after Lisa Gordon signed the 19· summary of her interview that took place on January 20· 9th, 2015 and January 13th, 2015, did you send the 21· signed summary back to OFCCP? 22· · · · A. I forwarded it, yes. 23· · · · Q. Okay. So you acted as the messenger 24· again -- 25· · · · A. Exactly.	
<p>236</p> 1· · · · Q. -- between -- 2· You acted as the messenger, again, between 3· OFCCP and Lisa Gordon? 4· · · · A. Yes. 5· · · · Q. And is Exhibit A to the declaration that 6· you filed or that you signed in the Jewett case -- 7· · · · A. Uh-huh. 8· · · · Q. -- a true and correct copy of the corrected 9· interview or summary of the interview of Lisa 10· Gordon's interview? 11· · · · A. I can't say, because when I reforwarded it 12· back, I didn't look at what the changes were. 13· · · · Q. Do you have any reason to believe that this 14· is not a true and correct version of the corrected --	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>15 · of the -- 16 · · · · A. · Of what she signed? 17 · · · · Q. · Yes. 18 · · · · A. · I believe that's the statement that she 19 · signed and sent back to you and which -- let's see, 20 · I'm going back to this; we have so many in front of 21 · me. 22 · · · · Q. · When you say this is a -- you believe that 23 · Exhibit A to the declaration you signed in Jewett is 24 · a true and correct copy of the summary of Lisa 25 · Gordon's interview that you sent back to OFCCP.</p> <p>237</p> <p>1 · Correct? 2 · · · · A. · I -- it may be the summary. I can't attest 3 · to any accuracy with regard to the statements in it, 4 · however. I can't confirm that accuracy. I believe 5 · that it's the form that she sent back, but, you know, 6 · again, even like looking at these -- the edits of the 7 · second document you gave me, I don't recall making 8 · any of those edits or seeing any of those edits. And 9 · I look at thousands of pieces of documents all the 10 · time, but I don't recall any of those, so I'm 11 · assuming this is what -- what we sent back, but I 12 · don't know that for certain, you know, because --</p>	
<p>240:2-247:20</p> <p>2 · · · · Q. · As the senior director of Oracle's 3 · diversity compliance, are you familiar with 41 4 · CFR 60-2.17? 5 · · · · A. · Let me -- let me review it, if you wouldn't 6 · mind. 7 · Yes. 8 · · · · Q. · Okay. So it says that in addition to the 9 · elements required by 60-210 through 60-216, an 10 · acceptable affirmative action program must include 11 · the following: And (b)(3) says, "The contractor must 12 · perform in-depth analyses of the total compensation 13 · process to determine whether and where impediments of 14 · equal employment opportunity exist. At a minimum, 15 · the contractor must evaluate compensation systems to 16 · determine whether there are gender, race, or 17 · ethnicity-based disparities." 18 · What does Oracle do to comply with this</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>19 · section? 20 · · · · MS. CONNELL: Just object that you've 21 · skipped over some parts of the regulation and only 22 · read select portions, so in that sense it 23 · misrepresents the document and also calls for a legal 24 · conclusion. 25 · · · · THE WITNESS: Oracle only for their – for</p> <p>241</p> <p>1 · the part to comply with this, managers look at 2 · starting pay, increases, bonuses, or other incentives 3 · with regard to preventing discrimination and making 4 · sure that pay -- that they look at equity with regard 5 · to pay. 6 · BY MS. BREMER: 7 · · · · Q. As the individual responsible for the 8 · implementation of Oracle's Affirmative Action Plan, 9 · what do you do to ensure compliance with this 10 · section? 11 · · · · MS. CONNELL: Objection; assumes facts and 12 · lacks foundation. 13 · · · · THE WITNESS: You're talking about Section 14 · 3? 15 · BY MS. BREMER: 16 · · · · Q. 41 CFR 60-2.17(a)(b)(3)? 17 · · · · A. (b)(3). 18 · · · · MS. CONNELL: It's compound. 19 · BY MS. BREMER: 20 · · · · Q. I'm sorry. I'm sorry, let me start over. 21 · The section I'm talking about is 41 CFR 60-2.17(a) -- 22 · no, just (b)(3). 23 · · · · MS. CONNELL: Same objections, lacks 24 · foundation, assumes facts. 25 · · · · THE WITNESS: The analysis that's done is</p> <p>242</p> <p>1 · as my prior statements with regard to this item is 2 · done by managers within their work groups to satisfy 3 · this particular regulation. I don't do anything else 4 · in addition to what they're doing to satisfy this 5 · regulation and to meet this regulation. 6 · BY MS. BREMER: 7 · · · · Q. And do you or anyone in your group review 8 · the analyses done by managers in work groups to 9 · satisfy this section?</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
10 ··· A· No. 11 ··· Q· To your knowledge, does anyone at Oracle 12 ·review the analyses that managers do within their 13 ·work groups to satisfy 41 CFR 60-2.17 (b)(3)? 14 ··· MS. CONNELL: Objection; calls for 15 ·speculation. 16 ··· THE WITNESS: I can't really say what's 17 ·done in -- in all the work groups. All I can say is 18 ·in my particular work group, I make the 19 ·recommendations, and I pass them through my -- to my 20 ·supervisor to review. But in all seven and a half 21 ·years I've been at Oracle, she's never made any 22 ·changes. Either she, either Liz or Vickie. 23 ··· MS. BREMER: Can you ask my question again, 24 ·please. 25 · (Record read.)	
243	
1 ··· MS. CONNELL: Same objection; calls for 2 ·speculation. 3 ··· THE WITNESS: I can't speak to who reviews 4 ·the pay within each -- each group's work group or the 5 ·pay decisions that are made. 6 ·BY MS. BREMER: 7 ··· Q· Or the analyses that are done? 8 ··· A· Or -- or the analyses that are done. 9 ··· Q· During the time that you've been in charge 10 ·or overseeing OFCCP compliance, are you aware of any 11 ·in-depth analyses of Oracle's compensation systems 12 ·that are conducted among employees with the same job 13 ·title? 14 ··· MS. CONNELL: Objection; asked and 15 ·answered, vague and ambiguous. 16 ··· THE WITNESS: Could you rephrase the 17 ·question? 18 ·BY MS. BREMER: 19 ··· Q· Are you -- has Oracle conducted any 20 ·in-depth analyses of Oracle's compensation systems to 21 ·determine whether there're gender-, race-, or 22 ·ethnicity-based disparities among employees at Oracle 23 ·with the same job title? 24 ··· MS. CONNELL: Objection; calls for 25 ·speculation, asked and answered.	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>244 1 · · · · THE WITNESS: Not in relation to this 2 · regulation. The only analyses that have been done 3 · outside of this regulation have been those done at 4 · the request of our attorneys. 5 · BY MS. BREMER: 6 · · · · Q· At the request of your attorneys, have 7 · any -- has Oracle made any in-depth analyses of 8 · Oracle's compensation systems to determine whether 9 · there are gender-, race-, or ethnicity-based 10 · disparities among employees with the same job title? 11 · · · · MS. CONNELL: Instruct her not to answer 12 · with regard to what attorneys may have requested or 13 · what analyses were done at the request of counsel. 14 · If you want to rephrase your question, she 15 · can answer. But I'll instruct her not to answer that 16 · question. 17 · BY MS. BREMER: 18 · · · · Q· 41 CFR 60-2.17(c) says, "The contractor 19 · must develop and execute action-oriented programs 20 · designed to correct any problem areas identified 21 · pursuant to 60-2.17(b)." 22 · Has Oracle identified any problem areas 23 · with respect to compensation? 24 · · · · A· Any areas that would have been identified 25 · would have been a result of attorney-client requests</p>	
<p>245 1 · for information, and any analysis that was provided 2 · to them or that they -- they did themselves, that our 3 · attorneys did themselves. 4 · · · · Q· Were any -- were there any problem areas 5 · identified by Oracle's counsel related to 6 · compensation? 7 · · · · MS. CONNELL: Object; the question is vague 8 · and ambiguous, calls for a legal conclusion, and to 9 · the extent -- and instruct her not to answer, to the 10 · extent any attorneys communicated anything, you know, 11 · I don't want you to testify as to the substance of 12 · any communications you had with counsel, but if you 13 · can answer the question without disclosing the 14 · substance of communications with counsel, you can 15 · answer. 16 · · · · THE WITNESS: So the question being? You</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>17· ·want to restate the question? 18· ·(Record read.) 19· ··· MS. CONNELL: Also calls for speculation. 20· ·And same objections as before. 21· ··· THE WITNESS: I can't recall what they -- 22· ·what they were; if any problem areas were identified, 23· ·the problem areas, I'm sure, they would have gone to 24· ·Oracle inside legal counsel. 25· ··· MS. CONNELL: Don't speculate.</p>	
<p>246 1· ··· THE WITNESS: But I don't -- yeah, she's 2· ·right, I'm speculating. So I really can't -- I can't 3· ·really say for certainty that any problem areas were 4· ·communicated back or areas being a problem. 5· ·BY MS. BREMER: 6· ··· Q· Okay. As the person at Oracle in charge of 7· ·OFCC compliance between 2013 and the present, are you 8· ·aware of any action -- of any problem areas 9· ·identified pursuant to Section 60-2.7(b) regarding 10· ·Oracle's compensation? 11· ··· MS. CONNELL: Just object to the preamble 12· ·of the question as misstating her role with regard to 13· ·OFCCP compliance. 14· ·But you can answer. 15· ··· THE WITNESS: Okay. Are you -- with -- 16· ·with regard to which location? 17· ·BY MS. BREMER: 18· ··· Q· H -- HQCA. Headquarters. 19· ··· MS. CONNELL: And, again, I'll just counsel 20· ·the witness not -- not to disclose the content of any 21· ·attorney-client privileged discussions. 22· ··· THE WITNESS: I can just say yes. 23· ·BY MS. BREMER: 24· ··· Q· Have the problem areas identified regarding 25· ·Oracle's compensation systems been communicated to</p>	
<p>247 1· ·any managers at Oracle who are making compensation 2· ·decisions? 3· ··· A· Your question to me assumes that there were 4· ·areas that in counsel's analysis that -- 5· ··· MS. CONNELL: Okay. Again, Shauna, I'm 6· ·instructing you not to testify about any 7· ·attorney-client privilege analyses --</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>8 · · · THE WITNESS: This is very -- 9 · · · MS. CONNELL: -- issues, discussions -- 10 · · · THE WITNESS: -- I feel very awkward in 11 · this -- 12 · · · MS. CONNELL: And there's confusion because 13 · she's asking about nonprivileged stuff, and you're 14 · testifying about privileged stuff. 15 · · · THE WITNESS: Okay. 16 · · · MS. CONNELL: So I'm instructing you not to 17 · answer about any privileged discussions that you 18 · had -- 19 · · · THE WITNESS: Okay. 20 · · · MS. CONNELL: -- with counsel.</p>	
<p>249:11-254:23</p> <p>11 · · · Q: -- you said that -- my understanding of 12 · what you're saying is that the analyses that were 13 · conducted to comply with 60-2.17(b)(3) were done by 14 · individual managers? 15 · · · A: Yes. 16 · · · Q: And you did not receive the results of 17 · those analyses? 18 · · · A: Correct. 19 · · · Q: And those -- any analyses that were done 20 · were done at individual managers' discretion? 21 · · · MS. CONNELL: Objection; misstates her 22 · testimony. 23 · · · THE WITNESS: No, it was not done at the 24 · individual manager's discretion; it was done upon 25 · hire. It was done during the focal review, when</p> <p>250</p> <p>1 · there's an assignment of any kind of bonus money. Or 2 · the fourth area would be like if an employee got 3 · stock options. So it wasn't -- it wasn't kind of 4 · like, you know, at the discretion of the manager; it 5 · was -- there were different assigned periods where 6 · managers, you know, look at this, you know, so -- 7 · BY MS. BREMER: 8 · · · Q: And were they instructed to look at their 9 · compensation systems to determine whether there were 10 · gender-, race-, or ethnicity-based disparities? 11 · · · A: According to the document that you showed 12 · me, they were instructed to look at factors -- any</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>13· ·type of discriminatory factor, and that was on the 14· ·slides, so if you take a look at that, and you take a 15· ·look at your notes on the slides, there's like a 16· ·thing it will tell you exactly what you're instructed 17· ·to do. 18· ··· Q· And you're talking about Exhibit 29? 19· ··· A· I have to look. 20· ·Yes. 21· ··· Q· And you're saying that the instruction that 22· ·was provided to -- 23· ··· A· Yeah, I've got to find it. 24· ··· MR. GARCIA: It's page 10 and 11. 25· ··· THE WITNESS: Thank you.</p>	
251	
<p>1· ··· MS. BREMER: 407-10 and 11. 2· ··· MS. CONNELL: 28. 3· ··· THE WITNESS: Here, like, we're almost 4· ·there. We're almost there. It's not just -- okay. 5· ··· MS. CONNELL: What's this? 6· ··· THE WITNESS: There's something I saw here 7· ·when we were -- when you had me look at this earlier, 8· ·and it -- it talks about that, it says right here -- 9· ·okay, thank you. 10· ·It says, on your page 407-11, "When you are 11· ·making pay decisions consider internal equity and be 12· ·as fair as possible. Differences need to be based on 13· ·fair, justifiable, and nondiscriminatory criteria." 14· ·So they've -- they've been instructed to 15· ·make all decisions with regard to looking at their 16· ·group is based on nondiscriminatory criteria. 17· ·BY MS. BREMER: 18· ··· Q· And were managers instructed how to make 19· ·decisions based on their justifiable and 20· ·nondiscriminatory criteria? 21· ··· MS. CONNELL: Objection; calls for 22· ·speculation. 23· ··· THE WITNESS: I can't say what each manager 24· ·was told to do; I can just say that -- that managers 25· ·are provided with this particular training to explain</p>	
252	
<p>1· ·it, but I don't know what additional training 2· ·different groups or different managers received in 3· ·addition to this.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>4 · BY MS. BREMER: 5 · · · · Q· And did your group provide any training to 6 · managers on how to ensure that their decisions were 7 · fair, justifiable, and nondiscriminatory? 8 · · · · A· No. 9 · · · · Q· Was this training in -- that's part of 10 · Exhibit 29 required for managers? 11 · · · · MS. CONNELL: Objection; asked and 12 · answered. 13 · · · · THE WITNESS: I didn't develop this 14 · training; I don't -- I can't tell you what -- if -- 15 · if this is required for all managers or what the 16 · requirements are for this; this is something that was 17 · put together by the compensation department. 18 · BY MS. BREMER: 19 · · · · Q· And were managers, to your knowledge, given 20 · any instructions on how to perform an in-depth 21 · analysis of Oracle's total employment process with 22 · respect to its compensation systems? 23 · · · · MS. CONNELL: Objection; calls for 24 · speculation. 25 · · · · THE WITNESS: Yeah, I can't say, because</p>	
<p>253</p>	
<p>1 · this training was developed by compensation and not 2 · by my -- not by the compliance team. 3 · BY MS. BREMER: 4 · · · · Q· Were managers required to implement the 5 · instructions that are -- that you identified to make 6 · differences in pay be based on fair, justifiable, and 7 · nondiscriminatory criteria? 8 · · · · MS. CONNELL: Objection; vague and 9 · ambiguous, calls for speculation. 10 · · · · THE WITNESS: Yeah, I can't tell you 11 · exactly, you know, what each manager received again. 12 · This -- this training was developed by a group other 13 · than the group that I work with. 14 · BY MS. BREMER: 15 · · · · Q· And you don't know if managers were 16 · required to either attend the training or to use the 17 · criteria identified in the training? 18 · · · · MS. CONNELL: Objection; asked and 19 · answered, calls for speculation, again. 20 · · · · THE WITNESS: I would -- I would think, you</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>21 · know, and I can't say, but I would think that if 22 · there's guidance like this given to managers, that 23 · they would be expected to comply with this, so -- 24 · this isn't my training, but I would see no point 25 · in -- in providing this to managers unless they were</p> <p>254</p> <p>1 · expected to comply with it. 2 · BY MS. BREMER: 3 · · · · Q· And did your -- did the compliance group do 4 · anything to ensure that managers followed the 5 · guidance in Exhibit 29? 6 · · · · A· No, because this isn't our training 7 · program; this is another group's training program. 8 · · · · Q· Are you aware of any other instructions 9 · that managers were given on how to perform in-depth 10 · analyses of Oracle's compensation systems to 11 · determine whether there're gender-, race-, or 12 · ethnicity-based disparities? 13 · · · · A· I don't -- I'm not aware of any, but that 14 · doesn't mean that it doesn't exist, because, you 15 · know, there could be something along the line, you 16 · know this isn't my training, so -- 17 · · · · Q· And are you aware of anything else that 18 · Oracle did to comply with the requirement that Oracle 19 · perform in-depth analyses of its compensation systems 20 · to determine whether there're gender-, race-, or 21 · ethnicity-based disparities? 22 · · · · MS. CONNELL: Objection -- 23 · · · · THE WITNESS: I'm not aware of anything.</p>	
<p>255:2-272:21</p> <p>2 · · · · Q· Okay. And you indicated that the way that 3 · Oracle complied with this section was by having 4 · managers -- individual managers conduct analyses when 5 · they were making pay decisions. Right? 6 · · · · MS. CONNELL: Objection; asked and 7 · answered. 8 · · · · THE WITNESS: Yes. 9 · BY MS. BREMER: 10 · · · · Q· Okay. So how did the compliance group at 11 · Oracle track whether problem areas were identified in 12 · the analyses done by Oracle managers to determine 13 · whether there were gender-, race-, or ethnicity-based</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>14· ·disparities in compensation? 15· · · · MS. CONNELL: Objection; assumes facts. 16· · · · THE WITNESS: We didn't -- didn't track 17· ·their pay decisions. 18· ·BY MS. BREMER: 19· · · · Q· And you didn't -- you didn't track the 20· ·analyses that managers did either? 21· · · · A· No. 22· · · · Q· And you didn't identify whether managers 23· ·had found problem areas in Oracle's compensation 24· ·systems, based on gender, or race, or ethnicity? 25· · · · A· We did not have an official tracking</p> <p>256</p> <p>1· ·system, no. 2· · · · Q· Okay. So now I'm going to ask you again 3· ·about 41 CFR 60-2.17(c). Did Oracle -- okay, given 4· ·that Oracle did not track problem areas in 5· ·compensation, did Oracle develop and execute 6· ·action-oriented programs designed to correct problem 7· ·areas identified pursuant to 60-2.17(b) regarding 8· ·compensation? 9· · MS. CONNELL: Objection; assumes facts, 10· ·lacks foundation, misstates her testimony, calls for 11· ·a legal conclusion. 12· · · · THE WITNESS: Yeah, I can't speak to other 13· ·areas, so I can't answer that yes or no. 14· ·BY MS. BREMER: 15· · · · Q· One of your duties was to oversee OFCCP -- 16· ·one of your duties was to oversee Oracle's compliance 17· ·with the OFCCP regulations. Correct? 18· · · · MS. CONNELL: Objection; misstates her 19· ·testimony. 20· · · · THE WITNESS: To oversee -- it, I mean, to 21· ·oversee certain aspects of if. 22· ·BY MS. BREMER: 23· · · · Q· Okay. And during the time that you were 24· ·Oracle's diversity compliance director and senior 25· ·director, did Oracle develop and execute any</p> <p>257</p> <p>1· ·action-oriented programs designed to correct any 2· ·problems in compen -- in Oracle's compensation 3· ·systems? 4· · · · MS. CONNELL: Objection; assumes facts,</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>5· lacks foundation, calls for a legal conclusion. 6· . . . THE WITNESS: I can't speak for the 7· compensation department, so I -- I don't know if 8· anything else was done individually, because that 9· falls under the compensation department. 10· BY MS. BREMER: 11· . . . Q· What falls -- 12· . . . A· This aspect over -- over compensation. I 13· mean, they would -- if there was any changes, they 14· would know about it; that's not something that I 15· monitor. 16· . . . Q· Who in the compensation group would be in 17· charge of ensuring Oracle's compliance with 41 CFR 18· 60-2.17(c)? 19· MS. CONNELL: Objection; assumes facts and 20· calls for speculation. 21· . . . THE WITNESS: I can't -- I can't tell you, 22· because I don't know what their assigned 23· responsibilities are in the compensation department. 24· BY MS. BREMER: 25· . . . Q· Did you understand Oracle's Affirmative</p> <p>258</p> <p>1· Action Plan to include affirmative action with 2· respect to Oracle's compensation? 3· . . . MS. CONNELL: Objection; vague, calls for a 4· legal conclusion. 5· . . . THE WITNESS: Oh, I thought you were 6· getting ready to do something -- something else. 7· BY MS. BREMER: 8· . . . Q· No, I was waiting for your answer. 9· . . . A· I know -- I know that Oracle is supposed to 10· review their compensation system, but that -- that 11· does not mean that I personally oversee any kind of 12· review. That's done at the manager level. 13· . . . Q· Review of -- 14· . . . A· Of compensation. 15· . . . Q· -- specific compensation decisions? 16· . . . A· Yes. 17· . . . Q· Okay. So I'm looking back at the 18· declaration that you signed and submitted and was 19· filed in the Jewett case, which was -- 20· . . . A· Which number? 21· . . . Q· -- Exhibit 17?</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
22· . . . A· Sure. 23· . . . MS. CONNELL: For the record, it was filed 24· ·by plaintiffs, not Oracle. 25· . . . MS. BREMER: Okay.	
259	
1· . . . THE WITNESS: Give me a second. 2· ·Yes.	
3· ·BY MS. BREMER:	
4· . . . Q· So paragraph 2, again, says that “As senior 5· ·director of diversity compliance, my responsibilities 6· ·include overseeing Oracle’s Office of Federal 7· ·Contract Compliance Programs compliance efforts.” 8· ·Are you telling me that your 9· ·responsibilities do not include overseeing Oracle’s 10· ·OFCCP compliance efforts with respect to 11· ·compensation?	
12· . . . MS. CONNELL: Objection; misstates her 13· ·testimony.	
14· . . . THE WITNESS: I said that there was another 15· ·department within Oracle, that -- that does 16· ·compensation. I don’t do compensation. And that all 17· ·of this -- any kind of evaluation on the compensation 18· ·system is done by the managers.	
19· ·BY MS. BREMER:	
20· . . . Q· Okay. I’m just trying to understand what 21· ·you said your responsibilities, though, include 22· ·overseeing OFCCP -- Oracle’s OFCCP compliance 23· ·efforts, is that -- that’s right?	
24· . . . A· Well, but if you look a little further 25· ·down, it says, “As the director of compliance, I am	
260	
1· ·not, however, responsible for developing or 2· ·implementing compensation practices at Oracle, nor am 3· ·I involved in the compensation decisions for job 4· ·positions and product development, information 5· ·technology, or support.”	
6· . . . Q· I see that. But you are responsible at 7· ·Oracle, and have been since 2013, in overseeing 8· ·Oracle’s OFCCP compliance efforts?	
9· . . . A· With regard to areas outside of 10· ·compensation.	
11· . . . Q· So --	
12· . . . A· If you look at that it says, “I am not,	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>13· ·however, responsible for developing or implementing 14· ·compensation practices at Oracle, nor am I involved 15· ·in compensation decisions for job positions in 16· ·product development, information technology, or 17· ·support.” 18· ··· Q· So you’re saying that you had no 19· ·responsibility for overseeing Oracle’s OFCCP 20· ·compliance efforts with respect to their compensation 21· ·systems? 22· ··· MS. CONNELL: Objection; misstates her 23· ·testimony. 24· ·BY MS. BREMER: 25· ··· Q· I’m asking.</p>	
<p>261 1· ··· A· I have responsibility for knowing that the 2· ·programs are done, but that’s quite different than 3· ·doing the programs myself or -- or anything like 4· ·that. So those are two different issues. 5· ·So if you look at page 11 of the 6· ·Affirmative Action Plan, it says “Oracle develops and 7· ·analyzes internal audit reports to assess performance 8· ·in at least the following areas,” so it talks about 9· ·that. And it says that Oracle does. 10· ··· Q· Right. 11· ··· A· And then we’ll look at the other one that I 12· ·think you’re going to, let’s see. 13· ··· Q· And you are the designated individual 14· ·responsible for the plan implementation of Oracle’s 15· ·Affirmative Action Plan? 16· ··· A· The plan implementation, but when we very 17· ·first started this I talked to you a little bit about 18· ·coordinating, and I’m not responsible for every facet 19· ·of the Affirmative Action Plan; I’m just -- you know, 20· ·I oversee it or administer it, I think is a better 21· ·term, I administer it. But there’s different areas 22· ·in here that talk about the responsibilities included 23· ·in that. 24· ··· Q· Okay. So you don’t see it as part of your 25· ·responsibilities to oversee Oracle’s OFCCP compliance</p>	
<p>262 1· ·efforts with respect to compensation? 2· ··· MS. CONNELL: Objection; misstates her</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>3· testimony. It's argumentative at this point. 4· . . . THE WITNESS: What -- what I see as 5· different responsibilities, I do my responsibilities 6· as they've been assigned to me. The responsibilities 7· for compensation analysis have been given to the 8· managers within their group. 9· BY MS. BREMER: 10· . . . Q. And you don't oversee those? 11· . . . A. No. 12· . . . Q. And you -- but you are responsible for 13· other areas of OFCCP compliance? 14· . . . A. Yes. 15· . . . MS. CONNELL: Objection; vague. 16· BY MS. BREMER: 17· . . . Q. Okay. As -- do you coordinate with anyone 18· else regarding OFCCP's compliance in the compensation 19· area? 20· . . . A. Not that works for Oracle. 21· . . . Q. Okay. Do you coordinate with someone 22· regarding Oracle's compliance with compensation 23· systems outside of Oracle? 24· . . . A. Not really for compliance purposes, no. 25· The only other analysis that's done is done under</p> <p>263</p> <p>1· attorney-client work product and we just supply 2· information to our attorneys that they go ahead and 3· develop, but that is not in relation to compliance 4· with this particular -- I think I buried it, but 5· the -- the regulation that you've been referencing. 6· They're two different things. 7· . . . Q. On Exhibit 34? 8· . . . A. Yes. 9· . . . Q. Okay. So with respect to Oracle's 10· compliance with OFCCP regulations relating to 11· compensation, is there anyone at Oracle that you 12· coordinate with? 13· . . . A. No, because that's done by the -- the 14· managers are responsible for ensuring 15· nondiscrimination within -- and pay equity within 16· each one of their groups, their staffs. 17· . . . Q. And are you aware of anyone at Oracle who 18· is in charge of compliance with the requirements of 19· 41 CFR 60-2.17(c)?</p>	<p>Errata: A. I do not oversee any manager's actual analysis with respect to employee compensation. My oversight role is limited to understanding that managers do an analysis.</p>

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
20 · · · MS. CONNELL: Objection; calls for a legal 21 · conclusion, assumes facts. 22 · · · THE WITNESS: And you're talking about with 23 · regard to compensation in that, right, because 24 · there's other areas that go into that, but you're 25 · talking about compensation. Correct?	
264	
1 · BY MS. BREMER: 2 · · · Q. Yes. Subsection 3 is compensation systems. 3 · · · MS. CONNELL: Same objections. 4 · · · THE WITNESS: Yeah, I think I've already 5 · answered that question. I -- I don't believe -- I 6 · don't know of anybody other than the managers that 7 · are responsible for -- for this particular area and 8 · creating -- and correcting any problems within their 9 · work group.	
10 · BY MS. BREMER: 11 · · · Q. Okay. And are you aware of anyone at 12 · Oracle who is responsible for compliance with 13 · creating action-oriented programs designed to correct 14 · any problem areas identified in Oracle's compensation 15 · systems under -- pursuant to this regulation?	
16 · · · MS. CONNELL: Objection; calls for a legal 17 · conclusion, assumes facts, lacks foundation, asked 18 · and answered.	
19 · · · THE WITNESS: Yeah. Again, managers are 20 · responsible for any type of pay equity concerns 21 · within -- and that type of concern within their work 22 · groups.	
23 · BY MS. BREMER: 24 · · · Q. And you're not aware of anyone other than 25 · managers who is responsible for developing and	
265	
1 · executing action-oriented programs to correct 2 · compensation problems identified under this 3 · regulation?	
4 · · · A. I am not aware of anybody other than 5 · managers.	
6 · · · Q. Okay. At the end of this Section --	
7 · · · A. Uh-huh.	
8 · · · Q. -- 41 CFR Section 60-2.17 --	
9 · · · A. Which exhibit are you referring to?	
10 · · · Q. This is the same regulation, Exhibit 34.	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>11 · · · · A. Okay.</p> <p>12 · · · · Q. 41 CFR Section 60-2.17(d)(4).</p> <p>13 · · · · A. Okay, let me find it, let me find it.</p> <p>14 · Okay, I see (b), (c), (d), yes.</p> <p>15 · · · · Q. It requires the contractor to advise top</p> <p>16 · management of program effectiveness and submit</p> <p>17 · recommendations to improve unsatisfactory</p> <p>18 · performance.</p> <p>19 · Are you aware of anything that Oracle has</p> <p>20 · done to comply with this subsection regarding its</p> <p>21 · compensation systems?</p> <p>22 · · · · MS. CONNELL: Just object that it assumes</p> <p>23 · facts and lacks foundation, and that -- yeah. Calls</p> <p>24 · for a legal conclusion.</p> <p>25 · · · · THE WITNESS: Let's see, let me read this</p> <p>266</p> <p>1 · again very carefully.</p> <p>2 · I am not aware of anything that's been done</p> <p>3 · outside of our work product, but -- or I am really, I</p> <p>4 · am just going to answer I am not aware of anything,</p> <p>5 · no. Because I keep -- I don't want to mix up the</p> <p>6 · two, I want to relate my response to the analysis</p> <p>7 · that's done by managers.</p> <p>8 · BY MS. BREMER:</p> <p>9 · · · · Q. And has your compliance group done anything</p> <p>10 · to periodically measure the effectiveness of Oracle's</p> <p>11 · total affirmative action program concerning</p> <p>12 · compensation?</p> <p>13 · · · · MS. CONNELL: Objection; assumes facts,</p> <p>14 · lacks foundation, calls for a legal conclusion.</p> <p>15 · · · · THE WITNESS: Not with regard to this --</p> <p>16 · this regulation.</p> <p>17 · BY MS. BREMER:</p> <p>18 · · · · Q. And are you aware of anyone at Oracle who</p> <p>19 · has periodically measured the effectiveness of</p> <p>20 · Oracle's affirmative action program with respect to</p> <p>21 · Oracle's compensation?</p> <p>22 · · · · MS. CONNELL: Lacks foundation, assumes</p> <p>23 · facts, calls for speculation, calls for a legal</p> <p>24 · conclusion.</p> <p>25 · · · · THE WITNESS: And you're -- you're</p> <p>267</p> <p>1 · referencing this with regard to this regulation.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>2· ·Right? 3· ·BY MS. BREMER: 4· ··· Q· Yes. 5· ··· A· Not with regard to this regulation. 6· ··· MS. BREMER: Why don't we take a quick 7· ·break. 8· ··· THE WITNESS: Sure, that would be great. I 9· ·think that everybody's -- 10· ··· THE VIDEOGRAPHER: The time is -- 11· ··· THE WITNESS: I think you -- you and I are 12· ·successfully boring everybody. 13· ··· THE VIDEOGRAPHER: The time is 5:06 p.m. 14· ·We are off the record. 15· ·(Recessed from 5:06 p.m. until 5:18 p.m.) 16· ··· THE VIDEOGRAPHER: The time is 5:18 p.m. 17· ·We are on the record. 18· ·BY MS. BREMER: 19· ··· Q· So I understand after talking to counsel 20· ·you have some additional clarifications? 21· ··· A· Yeah, things that -- that weren't clear. 22· ·When we were going back and forth over the types of 23· ·analyses that were done, you asked me if anybody had 24· ·ever communicated any problem areas to me, and -- and 25· ·what I was -- and I said yes, and what I was</p> <p>268</p> <p>1· ·referring to are the problem areas that the OFCCP 2· ·communicated to us with regard to HQ. 3· ··· Q· Okay. 4· ··· A· And then the other one on compensation 5· ·oversight, while all the analysis is done at the 6· ·level of -- of the manager, and the pay equity 7· ·analysis, yes, I -- you know, I do recognize that I 8· ·do have oversight of that, but I don't supervise the 9· ·actual analysis. And those were the two 10· ·clarifications. But the one that I was really 11· ·concerned with, because I was getting so confused, 12· ·was the one, because you had asked me any problem 13· ·areas, and all I could think of is the OFCCP, you 14· ·know, communicating that during the audit. 15· ··· Q· Okay. As the person in charge of 16· ·overseeing Oracle's compensation analyses, what do 17· ·you do to review those analyses? 18· ··· MS. CONNELL: Objection; misstates her</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
19· testimony and lacks foundation. 20· . . . THE WITNESS: Yeah, I don't oversee the 21· individual, each one of the individual analyses 22· that -- there. I -- I -- take a look at, you know, 23· it's like, it kind of falls under compliance, but I 24· trust them to go ahead and perform the analyses on 25· their own, so they would --	
269	
1· BY MS. BREMER: 2· . . . Q· And your group doesn't do anything to 3· ensure that the individual managers have conducted 4· analyses that -- to determine whether there are 5· gender-, race-, or ethnicity-based disparities? 6· . . . A· No. 7· . . . Q· Looking back at Exhibit 29. 8· . . . A· Sure. 9· . . . Q· You pointed to -- 10· . . . A· Just a second. I'm almost there. 11· . . . MR. GARCIA: It's the thick document of -- 12· . . . THE WITNESS: The thick one at the bottom? 13· . . . MR. GARCIA: With the e-mail matching 14· compensation. I think it's at the very bottom of 15· your stack. 16· . . . THE WITNESS: Okay. Yes. Thank you. 17· MR. GARCIA: You're welcome. 18· BY MS. BREMER: 19· . . . Q· Okay. You pointed me to pages 407-10 and 20· 407-11? 21· . . . A· Yes. 22· . . . Q· And you said that these are documents you 23· relied upon for saying that managers are responsible 24· for -- for pay equity? 25· . . . A· Yes.	
270	
1· . . . Q· Are there any other documents you rely upon 2· in saying that managers are responsible for pay 3· equity? 4· . . . A· That I rely on? 5· . . . Q· Yes. 6· . . . A· No. 7· . . . Q· Are you aware of any other documents that 8· instruct managers on pay equity? 9· . . . MS. CONNELL: Objection; calls for	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>10· ·speculation. 11· ··· THE WITNESS: I'm not aware of any. That 12· ·doesn't mean they don't exist. 13· ·BY MS. BREMER: 14· ··· Q· Okay. I'm also going to look back at the 15· ·June -- I think that's right. 16· ··· MR. GARCIA: She's looking for the June 2nd 17· ·e-mail by you. 18· ··· THE WITNESS: Okay. 19· ··· MS. BREMER: And also -- so Exhibits 30 and 20· ·31. 21· ··· THE WITNESS: 30 and 31, okay. 22· ·Okay. I see -- okay. I've got them. 23· ·BY MS. BREMER: 24· ··· Q· Okay. Looking back at Exhibit Number 30. 25· ··· A· Uh-huh.</p>	
<p>271</p>	
<p>1· ··· Q· OFCCP was requesting information about the 2· ·pay equity analysis conducted as required by Section 3· ·60-2.17. Correct? 4· ··· MS. CONNELL: Objection; the document 5· ·speaks for itself and asked and answered. 6· ··· THE WITNESS: I mean, that's what the 7· ·document says. 8· ·BY MS. BREMER: 9· ··· Q· Okay. And then you responded in Exhibit 31 10· ·by referring OFCCP to the lengthy interview conducted 11· ·by Lisa Gordon. Why -- why did you refer OFCCP to 12· ·Lisa Gordon's interview? 13· ··· MS. CONNELL: Objection; the document 14· ·speaks for itself. 15· ··· THE WITNESS: It would just be for a point 16· ·of reference for the OFCCP. 17· ·BY MS. BREMER: 18· ··· Q· And that was in response to a question 19· ·asking about the pay equity analysis that Oracle 20· ·conducted under the regulations. Correct? 21· ··· A· That it would provide information. I would 22· ·refer to it not necessarily that what was covered in 23· ·the interview, but that I just referred to them as 24· ·far as pay systems to review their -- their 25· ·documents.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>272 1 ···· Q· But request number 3 related specifically 2 · to pay equity. Correct? 3 ···· MS. CONNELL: Objection the document -- 4 · BY MS. BREMER: 5 ···· Q· Pay equity was pursuant -- 6 ···· A· Yes. 7 ···· Q· -- to the regulation? 8 ···· A· Yes. 9 ···· MS. CONNELL: Document speaks for itself. 10 · BY MS. BREMER: 11 ···· Q· And you referred -- 12 ···· THE REPORTER: I'm sorry, repeat that. 13 · BY MS. BREMER: 14 ···· Q· And you referred OFCCP to Lisa Gordon's 15 · interview? 16 ···· MS. CONNELL: Objection; asked and answered 17 · about three times and the documents speak for 18 · themselves. 19 ···· THE WITNESS: I referred them to the 20 · interview, their notes of the interview, that they 21 · already --</p>	<p>Errata: I referred them to the interview, not their notes of the interview.</p>
<p>274:16-275:5 16 ···· MS. BREMER: I'd like to mark as Exhibit -- 17 ···· THE REPORTER: 35. 18 ···· MS. BREMER: -- 35, a November 2nd, 2015, 19 · letter from Robert Doles to Shauna Holman-Harries. 20 · It's Bates numbered ORACLE_HQCA 5441 through 5446. 21 ···· MS. CONNELL: Thank you. 22 · (Marked for identification Exhibit 35.) 23 ···· THE WITNESS: Thank you. 24 · BY MS. BREMER: 25 ···· Q· Did you receive this letter? 275 1 ···· A· Yes. 2 ···· Q· Yes. And is this a true and correct copy 3 · of the letter that you received from OFCCP on or 4 · about November 2nd, 2015? 5 ···· A· I believe so.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>279:17-281:4</p> <p>17 ··· MS. BREMER: I'd like to mark as Exhibit 18 · 38, a document Bates labeled ORACLE_HQCA 695 to 698. 19 · (Marked for identification Exhibit 38.) 20 · BY MS. BREMER: 21 ··· Q: Is Exhibit 38 a true and correct copy of 22 · the e-mails that you -- 23 ··· A: Can I have a minute to take a look at it? 24 ··· Q: Sure. Is this a true and correct copy of 25 · the e-mail that you sent to Hoan Luong of OFCCP on or</p>	
<p>280</p> <p>1 · about October 29th, 2015? 2 ··· A: If you can give me a minute just to -- to 3 · finish looking at it. 4 ··· Q: That was the last exhibit. Are you done 5 · looking -- 6 ··· A: Yeah. 7 ··· Q: -- at Exhibit 38? 8 ··· A: Yeah, there was just question in my mind, 9 · I'm sorry. 10 · Yes. 11 ··· Q: Okay. And the numbered -- the portions of 12 · Exhibit 38 that are in bolder print -- 13 ··· A: Uh-huh. 14 ··· Q: -- are those OFCCP's questions to you for 15 · requests for information to OFCCP? 16 ··· A: Yes. 17 ··· Q: And then your responses are in the lighter 18 · print; is that right? 19 ··· A: Yes. 20 ··· Q: And the first -- the first request is a 21 · request for internal pay equity analyses conducted 22 · during the past three years, as required by the 23 · regulations. Correct? 24 ··· A: Uh-huh. 25 ··· Q: And in response to OFCCP's request for</p>	
<p>281</p> <p>1 · Oracle's pay equity analyses conducted under the 2 · regulations, you did not provide any pay equity 3 · analysis to OFCCP. Correct? 4 ··· A: Correct.</p>	

DEPOSITION OF SHAUNA HOLMAN-HARRIES – MAY 8, 2019

Page/Line	Objection/Errata
<p>288:14-289:14</p> <p>14 · · · · Q· Item 3 on page 2 of Exhibit 35, OFCCP 15· requested a compensation database snapshot for 2013. 16· Correct? 17· · · · A· Yes. 18· · · · Q· Did Oracle provide a 2013 compensation 19· snapshot to OFCCP during the compliance review? 20· · · · A· No. 21· · · · MS. CONNELL: Objection; vague and 22· ambiguous. 23· Do you mean for 1/1/2014? 24· · · · THE WITNESS: Oh. 25· · · · MS. BREMER: No, this request is 1 –</p> <p>289</p> <p>1· · · · THE WITNESS: All factors -- factors -- 2· okay. For a snapshot of -- are you talking about 3· compensation -- here it is -- compensation database 4· for 1/1/13, submitted compensation database for 5· factors -- all factors in the 1/1/14 snapshot 6· database to include the following. 7· BY MS. BREMER: 8· · · · Q· Right. So you did not provide the 9· compensation snapshot requested in item 3. Correct? 10· · · · A· Correct. 11· · · · Q· Okay. 12· · · · A· But I do want to say we asked again for the 13· basis for that because that was out of the review 14· period.</p>	