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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO

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RONG JEWETT, SOPHY WANG,)
XIAN MURRAY, ELIZABETH SUE)
PETERSEN, MARILYN CLARK, and)
MANJARI KANT, on behalf of)
themselves and all others)
similarly situated,)

Plaintiffs,)

vs.)

No. 17-CIV-02669

ORACLE AMERICA, INC.,)

Defendant.)

CONFIDENTIAL, PURSUANT TO PROTECTIVE ORDER
VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.

BY: KRISTINA KARSTENSSON EDWARDS

October 16, 2018

Taken before JANE GROSSMAN

CSR No. 5225

JANE GROSSMAN REPORTING SERVICES
Certified Shorthand Reporters
1939 Harrison Street, Suite 460
Oakland, California 94612
510.444.4500
www.grossmanreporting.com

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

Exhibit P-15

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I N D E X

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.

BY: KRISTINA KARSTENSSON EDWARDS

TUESDAY, OCTOBER 16, 2018

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E X H I B I T S

DEPOSITION EXHIBITS MARKED FOR IDENTIFICATION

* Document designated "CONFIDENTIAL"

EXHIBIT NO. DESCRIPTION PAGE

Exhibit 65 Three-page document entitled "PLAINTIFFS' SUPPLEMENTAL AMENDED NOTICE OF DEPOSITION OF THE PERSON MOST KNOWLEDGEABLE AT DEFENDANT ORACLE AMERICA, INC. [REGARDING PRIOR PAY]" (No Bates numbers) 8

Exhibit 66 * One-page e-mail dated 11/8/2017, addressed to Claudia Funie, from recruiting-announcements@oracle.com, "Subject: Compensation Collection Tool Changes" (ORACLE_JEWETT_00031007) 31

Exhibit 67 * Multipage PowerPoint with the the heading, "ORACLE, Recruit & Hire Guidance, Role Checklist for a Successful Hire: New US Legislation...October 2017" (ORACLE_JEWETT_00031017 - ORACLE_JEWETT_00031030) 33

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VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.

BY: KRISTINA KARSTENSSON EDWARDS

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(Continued)		
* Document designated "CONFIDENTIAL"		
EXHIBIT NO.	DESCRIPTION	PAGE
Exhibit 68	Multipage document with the heading on the first page "Opening a Vacancy" (labeled on the first page -00030956; no numbers on subsequent pages)	36
Exhibit 69	Multipage document with the heading on the first two pages "ORACLE," "Hiring Your People" (labeled on the first page -00030967; no numbers on subsequent pages)	40
Exhibit 70	Multipage document with the heading "Oracle Talent Advisory, Recruit & Hire at Oracle...", copyright 2017 (labeled on the first page -00030994; no numbers on subsequent pages)	41
Exhibit 71 *	Two-page e-mail chain, the top-most of which is dated Monday, October 23, 2017, addressed to Jana Lathrop, et al., from Michal Melamud, "Subject: Fwd: Oracle's Plan to Address US Salary History Laws" (ORACLE_JEWETT_00061987 - ORACLE_JEWETT_00061988)	47
Exhibit 72 *	Three-page e-mail chain, the top-most of which is dated Friday, October 27, 2017, addressed to kredwar_directs_ww, from Lynne Carrelli, "Subject: Manager Impact: Changes to US Hiring Process Effective October 31, 2017 (ORACLE_JEWETT_00061989 - ORACLE_JEWETT_00061991)	48

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
 BY: KRISTINA KARSTENSSON EDWARDS

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E X H I B I T S

DEPOSITION EXHIBITS MARKED FOR IDENTIFICATION

(Continued)

* Document designated "CONFIDENTIAL"

EXHIBIT NO.	DESCRIPTION	PAGE
Exhibit 73 *	Multipage document with the heading on the first two pages "ORACLE," "HR Learning Session, US Pay Equity Law and Salary History Bans" (ORACLE_JEWETT_00061992 - ORACLE_JEWETT_00062011)	50

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PREVIOUSLY MARKED EXHIBITS

REFERRED TO IN THIS TRANSCRIPT

EXHIBIT NO.	DESCRIPTION	PAGE
Exhibit 57 *	Three-page document entitled "US PAY EQUITY FAQ FOR MANAGERS AND HR, Updated January 8, 2018" (ORACLE_JEWETT_00006674 - ORACLE_JEWETT_00006676)	18

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Proceedings Commenced: 9:03 a.m.

RECESSES

10:02 a.m. until 10:12 a.m.

10:23 a.m. until 10:26 a.m.

Proceedings Concluded: 10:28 a.m.

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VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

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VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.

BY: KRISTINA KARSTENSSON EDWARDS

BE IT REMEMBERED that, pursuant to Notice of Taking Videotaped Deposition, and on Tuesday, October 16 2018, commencing at the hour of 9:03 a.m., at the LAW OFFICES OF ALTSHULER BERZON LLP, 177 Post Street, Suite 300, San Francisco, California 94108, before me, JANE GROSSMAN, a Certified Shorthand Reporter of the State of California, personally appeared

KRISTINA KARSTENSSON EDWARDS,
produced as the person most knowledgeable for Oracle America, Inc., who, being by me first duly sworn, was thereupon examined as a witness in said cause.

---oOo---

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

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A P P E A R A N C E S

FOR PLAINTIFFS RONG JEWETT, SOPHY WANG, XIAN MURRAY,
ELIZABETH SUE PETERSEN, MARILYN CLARK, and MANJARI KANT,
on behalf of themselves and all others similarly
situated:

ALTSHULER BERZON LLP
177 Post Street, Suite 300
San Francisco, California 94108
415.421.7151
By: JAMES M. FINBERG, Attorney at Law
jfinberg@altshulerberzon.com
and
PEDER J. THOREEN, Attorney at Law
pthoreen@altshulerberzon.com

FOR PLAINTIFFS RONG JEWETT, SOPHY WANG, XIAN MURRAY,
ELIZABETH SUE PETERSEN, MARILYN CLARK, and MANJARI KANT,
on behalf of themselves and all others similarly
situated:

RUDY, EXELROD, ZIEFF & LOWE, LLP
351 California Street, Suite 700
San Francisco, California 94104
415.434.9800
By: JOHN T. MULLAN, Attorney at Law
jtm@rezlaw.com
and
ALANA REYNOLDS, Litigation Assistant

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VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

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A P P E A R A N C E S

(Continued)

FOR DEFENDANT ORACLE AMERICA, INC.:

ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
405 Howard Street
San Francisco, California 94105-2669
415.773.5969

By: ERIN M. CONNELL, Attorney at Law
econnell@orrick.com
and
KAYLA DELGADO, Attorney at Law
kdelgado@orrick.com

ALSO PRESENT: ANDREW GRAVES, Videographer

---oOo---

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	TUESDAY, OCTOBER 16, 2018	9:03 A.M.	09:03:44
2	P R O C E E D I N G S		09:03:48
3	(Deposition Exhibit 65 was marked for		09:03:48
4	identification.)		
5	---oOo---		
6	THE VIDEOGRAPHER: Here begins Video No. 1		09:03:52
7	of the deposition of Kris Edwards in the matter of		09:03:54
8	Rong Jewett, et al., vs. Oracle America, Inc.,		09:03:59
9	venued in the Superior Court of the State of		09:04:02
10	California, County of San Mateo. The case number is		09:04:04
11	17-CIV-02669.		09:04:11
12	Today's date is October 16th, 2018. The		09:04:15
13	time on the video monitor is 9:04 a.m.		09:04:18
14	The video operator today is Andrew Graves,		09:04:23
15	representing Jane Grossman Reporting Services; phone		09:04:25
16	number 515.444.4500.		09:04:28
17	This video deposition is taking place at		09:04:34
18	177 Post Street, Suite 300, San Francisco,		09:04:37
19	California, and was noticed by counsel for		09:04:40
20	Plaintiffs.		09:04:44
21	Counsel, please voice identify yourselves		09:04:45
22	and state whom you represent.		09:04:47
23	MS. CONNELL: Oh. Erin Connell of Orrick,		09:04:50
24	Herrington & Sutcliffe on behalf of Defendant		09:04:53
25	Oracle.		09:04:59

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	MS. DELGADO: Kayla Delgado from Orrick,	09:04:59
2	Herrington & Sutcliffe on behalf of Defendant.	09:04:59
3	MR. FINBERG: Jim Finberg from	09:05:00
4	Altshuler Berzon for Plaintiffs and the proposed	09:05:02
5	class.	09:05:05
6	MR. MULLAN: John Mullan of Rudy, Exelrod,	09:05:06
7	Zieff & Lowe for Plaintiffs and the proposed class.	09:05:06
8	MR. THOREEN: Peder Thoreen, Altshuler	09:05:11
9	Berzon, on behalf of Plaintiffs and the proposed	09:05:12
10	class.	09:05:12
11	THE VIDEOGRAPHER: Thank you.	09:05:18
12	The court reporter is Jane Grossman,	09:05:18
13	representing Jane Grossman Reporting Services.	09:05:20
14	Would all others present please state	09:05:21
15	their names for the record?	09:05:24
16	MS. REYNOLDS: Alana Reynolds, litigation	09:05:26
17	assistant with Rudy, Exelrod, Zieff & Lowe.	09:05:29
18	MS. CONNELL: I would also just like to	09:05:33
19	add that I'm also representing the witness --	09:05:34
20	Erin Connell.	09:05:36
21	THE VIDEOGRAPHER: Thank you.	09:05:38
22	Would the reporter please administer the	09:05:39
23	oath?	09:05:40
24	--- <td>09:05:40</td>	09:05:40
25	/ / / / /	09:05:40

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	KRIS EDWARDS,	09:05:40
2	having been sworn as a witness by the	09:05:40
3	Certified Shorthand Reporter,	09:05:41
4	testified as follows:	09:05:41
5	---oOo---	09:05:41
6	EXAMINATION BY MR. FINBERG	09:05:41
7	MR. FINBERG: Q. Good morning.	09:05:51
8	A. Good morning.	09:05:52
9	Q. Please state your full name for the	09:05:52
10	record.	09:05:54
11	A. Kristina Karstensson Edwards.	09:05:55
12	Q. Have you ever been deposed before?	09:05:58
13	A. I have not.	09:05:59
14	Q. Okay. Let me briefly cover the ground	09:06:00
15	rules.	09:06:03
16	The court reporter has sworn you under	09:06:03
17	penalty of perjury, just as if you were in a	09:06:05
18	courtroom, even though we're in this informal	09:06:08
19	conference setting.	09:06:12
20	The court reporter is taking down my	09:06:13
21	questions and your answers and will prepare a	09:06:15
22	transcript of them that you can review afterwards.	09:06:18
23	And you can correct any errors in the transcript.	09:06:21
24	If you change the substance of your	09:06:26
25	testimony, I or other counsel can comment on your	09:06:28

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	having done so.	09:06:31
2	If I ask a question that you don't	09:06:33
3	understand, please let me know that you don't	09:06:35
4	understand it.	09:06:39
5	A. Okay.	09:06:40
6	Q. And please, as you just did, answer out	09:06:41
7	loud so that it's easier for the court reporter to	09:06:43
8	take down your answers.	09:06:46
9	A. Will do.	09:06:48
10	Q. Okay. I -- the court reporter has marked	09:06:54
11	as Exhibit 65 a document that is entitled	09:06:56
12	"PLAINTIFFS' SUPPLEMENTAL...NOTICE OF DEPOSITION	09:07:02
13	OF...PERSON MOST KNOWLEDGEABLE AT...ORACLE..."	09:07:06
14	And then there's a paragraph on page 2	09:07:10
15	that is labeled 26, and it says:	09:07:13
16	"YOUR policies and practices regarding	09:07:17
17	obtaining and using prior employment pay	09:07:19
18	rates for purposes of determining	09:07:23
19	COMPENSATION for applicants to COVERED	09:07:25
20	POSITIONS in California during the CLASS	09:07:28
21	PERIOD, including any changes to YOUR	09:07:30
22	policies and practices regarding obtaining	09:07:33
23	and using prior employment pay rates for	09:07:35
24	purposes of determining COMPENSATION for	09:07:38
25	applications to COVERED POSITIONS in	09:07:40

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	California during the CLASS PERIOD."	09:07:44
2	Have you been designated by Oracle to	09:07:45
3	testify regarding at least some part of that topic	09:07:47
4	today?	09:07:53
5	A. I bel- --	09:07:55
6	MS. CONNELL: Just for the record, I just	09:07:56
7	want to -- we did serve objections limiting the	09:07:57
8	scope of the topic. So...	09:08:00
9	But you can answer.	09:08:03
10	MR. FINBERG: Q. Give me your	09:08:04
11	understanding of what you've been designated to	09:08:04
12	testify about today.	09:08:06
13	A. My understanding is that I am here to	09:08:08
14	testify around the practice change around the salary	09:08:09
15	history ban that Oracle implemented in September	09:08:13
16	2017.	09:08:17
17	Q. Okay.	09:08:18
18	(Clarification requested by the reporter.)	09:08:24
19	THE WITNESS: I'm sorry. I said	09:08:25
20	"September." It was actually October 2017. Sorry.	09:08:26
21	MR. FINBERG: Q. No worries.	09:08:30
22	And you are knowledgeable about that	09:08:31
23	topic?	09:08:33
24	A. I am.	09:08:33
25	Q. Okay. Let's briefly go through your	09:08:34

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	educational and employment history.	09:08:43
2	Briefly describe your educational history.	09:08:48
3	A. I graduated with a bachelor in science in	09:08:51
4	business administration from UNLV in 1997.	09:08:55
5	And I didn't pursue any additional	09:09:04
6	education after that.	09:09:10
7	Q. Okay.	09:09:12
8	A. So I'm not sure --	09:09:13
9	Q. Please briefly review your work history.	09:09:15
10	A. So, I've been at Oracle for -- since May	09:09:17
11	of 2016.	09:09:19
12	Prior to that, I was at Teletech Holdings	09:09:24
13	Corporation.	09:09:26
14	Prior to that, I owned my own business and	09:09:30
15	was self-employed as a position consultant.	09:09:33
16	Prior to that, I was at Great West Life.	09:09:41
17	Do you want me to keep going?	09:09:48
18	Q. If you like.	09:09:52
19	A. So prior to that, I was at Teletech	09:09:53
20	Holdings again, for the first time.	09:09:55
21	And prior to that, I was at First -- I'm	09:10:01
22	sorry. I was at Qwest Cyber Solutions.	09:10:04
23	Before that I was at First Data.	09:10:09
24	Prior to that I was at Qwest.	09:10:17
25	Prior to that, I was at Mountain States	09:10:24

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 Employers Council. 09:10:26

2 And prior to that I was at the Douglas 09:10:29

3 County government. 09:10:31

4 Those are all my professional jobs. 09:10:33

5 Q. Okay. Thank you. 09:10:36

6 A. Uh-huh. 09:10:37

7 Q. So you joined Oracle in May of 2016; is 09:10:38

8 that right? 09:10:42

9 A. Correct. 09:10:43

10 Q. In what position? 09:10:43

11 A. I was a principal compensation consultant. 09:10:44

12 Q. What were your job duties and 09:10:48

13 responsibilities? 09:10:51

14 A. I was a -- I had a client group. And I 09:10:52

15 was responsible for client support, as well as 09:10:55

16 special projects on the team. 09:11:00

17 Q. What does that mean? 09:11:03

18 A. There were certain annual projects that 09:11:05

19 the team participated in. And I led some of the 09:11:07

20 activities for some of those projects. 09:11:11

21 An example would be the annual salary 09:11:14

22 planning exercise, where we market-match our jobs to 09:11:19

23 the external marketplace. I just managed -- I did 09:11:22

24 not do all the matching. I just managed the process 09:11:25

25 within the team for that. 09:11:29

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	Q. What was your client group?	09:11:33
2	A. I supported the Support organization.	09:11:35
3	Q. Throughout the U.S.?	09:11:43
4	A. Correct.	09:11:45
5	Q. What did that involve?	09:11:49
6	A. Responding to day-to-day questions from	09:11:52
7	the HR business partners and recruiters; providing	09:11:54
8	analysis around the market -- the external market	09:11:59
9	pricing and market-matching exercise for the Support	09:12:05
10	jobs.	09:12:08
11	Q. Okay. How long were you in this position?	09:12:14
12	A. I was in that position until January of	09:12:17
13	2017.	09:12:18
14	Q. And then what position did you take?	09:12:20
15	A. I was promoted to the director of U.S.	09:12:23
16	Compensation Consulting.	09:12:25
17	Q. Is that your current position?	09:12:34
18	A. It is not.	09:12:35
19	I was promoted last September to senior	09:12:36
20	director of U.S. Compensation Consulting.	09:12:39
21	Q. Okay. "Last September" meaning last	09:12:45
22	month?	09:12:47
23	A. Yes, last month.	09:12:48
24	Q. Who was your predecessor as director of	09:12:59
25	U.S. Compensation?	09:13:03

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	A. Lisa Gordon.	09:13:05
2	Q. Okay. To your knowledge, how long had she	09:13:06
3	been in that role?	09:13:08
4	A. I don't know that.	09:13:10
5	Q. At least through 2013?	09:13:12
6	A. I believe so, but I -- I don't know.	09:13:17
7	Q. Okay. What were your duties and	09:13:20
8	responsibilities in that role?	09:13:22
9	A. As the director?	09:13:24
10	Q. Yes.	09:13:25
11	A. It's to oversee the -- all of the U.S.	09:13:26
12	Compensation consultants, as well as manage any of	09:13:30
13	the projects for U.S. rollout for Compensation.	09:13:33
14	Q. What does that involve?	09:13:39
15	A. It involves supporting the HR business	09:13:43
16	partners when they're rolling out programs such as,	09:13:45
17	like, the merits, or the focal process, as we call	09:13:48
18	it, annually, and the stock administration process	09:13:51
19	annually. So we'll help support the HR business	09:13:57
20	partners with any questions that they might have or	09:14:00
21	issues that they might run into from a functional	09:14:03
22	perspective.	09:14:06
23	Q. What does an HR business partner do?	09:14:09
24	MS. CONNELL: Objection. Vague.	09:14:13
25	THE WITNESS: I don't -- I don't know	09:14:16

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	their whole job.	09:14:17
2	MR. FINBERG: Q. What is your	09:14:20
3	understanding of their job duties and	09:14:21
4	responsibilities as it relates to compensation?	09:14:23
5	A. My understanding is that they have client	09:14:26
6	groups that are leaders with -- business leaders	09:14:28
7	within the organization. And they provide HR	09:14:30
8	consultative services. And compensation is one of	09:14:33
9	those services.	09:14:37
10	Q. Approximately how many are there in	09:14:39
11	California?	09:14:42
12	A. I -- I don't know.	09:14:45
13	Q. Can you formulate an estimate?	09:14:47
14	MS. CONNELL: Objection. Calls for	09:14:53
15	speculation.	09:14:53
16	THE WITNESS: I honestly don't have any	09:14:54
17	idea.	09:14:56
18	MR. FINBERG: Q. Okay. Did you have any	09:14:58
19	other job duties as director of U.S. Compensation?	09:15:01
20	A. No. That covers it.	09:15:07
21	Q. How did your job duties change in	09:15:09
22	September when you became senior director?	09:15:11
23	A. They really didn't change.	09:15:13
24	Q. It was a promotion in title and salary?	09:15:14
25	A. Correct.	09:15:19

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	Q. Okay. Okay. Let me hand to you what was	09:15:19
2	previously marked as Exhibit 57.	09:15:30
3	(Previously marked Deposition Exhibit 57	09:15:49
4	was referenced herein.)	09:15:49
5	MS. CONNELL: Thank you.	09:15:52
6	MR. FINBERG: Q. Do you recognize this	09:16:01
7	document?	09:16:02
8	A. I do.	09:16:03
9	Q. What is this?	09:16:04
10	A. This is a FAQ document that was used for	09:16:07
11	the rollout of the U.S. pay equity change in October	09:16:12
12	of 2017.	09:16:15
13	Q. Did you play a role in creating this	09:16:18
14	document?	09:16:23
15	A. I was part of the project team that	09:16:24
16	created this document.	09:16:26
17	Q. Okay. Who else was on the team?	09:16:28
18	A. We had members. So Emily Sullivan from	09:16:31
19	our Legal Department was on the team. Myself and	09:16:35
20	Jana Lathrop from U.S. Compensation were on the	09:16:38
21	team. We had Mickey Melamud and Andrea Kainz from	09:16:41
22	the HR Communications team. Amanda Gill,	09:16:48
23	Elena Raymond, and Carla Foster were participants	09:16:54
24	from our Talent Advisory team. And Rachel Baker and	09:17:00
25	Noreen Cox were participants from our HR Business	09:17:05

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 Partner team. 09:17:08

2 Q. Okay. At the top, under the heading "US 09:17:12

3 PAY EQUITY FAQ FOR MANAGERS AND HR," it says (as 09:17:15

4 read), "Updated January 8th, 2018." 09:17:19

5 How was it changed from the prior version 09:17:22

6 to the January 8th version? 09:17:26

7 A. I don't know. 09:17:31

8 Q. Okay. Who made those changes? 09:17:33

9 A. It would have been a combination of 09:17:39

10 Jana Lathrop, either Andrea Kainz or Mickey Melamud 09:17:41

11 on the Communications side, and Emily Sullivan. 09:17:48

12 Q. Do you know why it was necessary to change 09:17:51

13 it? 09:17:52

14 A. When we rolled this out, we specifically 09:17:53

15 asked the HR business partners if they have any 09:17:56

16 additional questions as they're rolling it out to 09:17:59

17 let us know. 09:18:02

18 And so we wanted this to be a living 09:18:03

19 document that, if there were any clarifications that 09:18:06

20 needed to be made or any additional questions that 09:18:10

21 needed to be included, we would do that in this 09:18:12

22 document. 09:18:16

23 Q. So do you think the FAQ section of this 09:18:18

24 document might be different from the original 09:18:21

25 iteration because it addresses some questions that 09:18:24

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1 arose? 09:18:26

2 A. It may be slightly different. 09:18:28

3 Q. Okay. But as you sit here, you can't 09:18:34

4 remember in what way? 09:18:36

5 A. I can't. I'm sorry. 09:18:37

6 Q. Okay. All right. And this says, 09:18:39

7 "Effective October 31, 2017..." 09:18:44

8 When was the first version of this 09:18:50

9 document rolled out? 09:18:52

10 A. It would have been rolled out in the last 09:18:54

11 two weeks of October as we prepared it for our HR 09:18:58

12 business partners. And we did communications just 09:19:05

13 prior to this rollout. 09:19:07

14 Q. Okay. What did that entail? 09:19:13

15 A. What did -- 09:19:16

16 Q. Rolling it out. 09:19:17

17 A. So we held training sessions for our HR 09:19:18

18 business partners and our talent advisors on the 09:19:22

19 changes that were made. 09:19:24

20 And then there were e-mails sent to the 09:19:26

21 executives. 09:19:30

22 And there was an e-mail sent to all of the 09:19:32

23 U.S. managers that would be impacted by this change. 09:19:34

24 Q. Who attended the training sessions? 09:19:42

25 A. Everybody in the HR Business Partners 09:19:47

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BY: KRISTINA KARSTENSSON EDWARDS

1 community and Talent Advisory community were 09:19:50
2 invited. 09:19:53

3 Q. Was attendance mandatory? 09:19:57

4 A. It was not. 09:20:00

5 Q. What is a "Talent Advisory community"? 09:20:02

6 A. It's what we call our recruiters. 09:20:06

7 Q. What role do they play in the process of 09:20:09
8 setting initial pay? 09:20:12

9 MS. CONNELL: Objection. Assumes facts 09:20:16
10 and calls for speculation. 09:20:17

11 THE WITNESS: I don't know. 09:20:19

12 MR. FINBERG: Q. What is your 09:20:21
13 understanding of why they were invited to this 09:20:21
14 session -- training session? 09:20:24

15 A. Well, they interact with managers as part 09:20:26
16 of the recruiting process. So we felt that it was 09:20:29
17 important for them to know that this practice change 09:20:34
18 was going into place. 09:20:36

19 Q. What is your understanding of the nature 09:20:37
20 of that interaction? 09:20:39

21 A. The interaction of? 09:20:42

22 Q. The talent advisory folks and the 09:20:44
23 managers. 09:20:48

24 A. My understanding is in some cases they 09:20:51
25 work directly with managers to help them source 09:20:55

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1	candidates and select candidates for interviewing,	09:20:58
2	but not all cases.	09:21:03
3	Q. And do you know whether or not they play a	09:21:06
4	role in setting initial pay?	09:21:09
5	A. I do not know.	09:21:11
6	Q. Approximately how many training sessions	09:21:16
7	were held?	09:21:18
8	A. We held two sessions.	09:21:19
9	Q. Were they in person or virtual?	09:21:21
10	A. They were virtual.	09:21:24
11	Q. Did you participate in them?	09:21:27
12	A. I did.	09:21:28
13	Q. How long did they last?	09:21:30
14	A. They were scheduled for 30 minutes.	09:21:33
15	They generally lasted for about 15 to 20	09:21:37
16	minutes.	09:21:41
17	Q. How many people participated?	09:21:44
18	A. I don't know that, off the top of my head.	09:21:47
19	Well, let me ask you, participated how?	09:21:51
20	Q. Well, if it was a virtual training	09:21:55
21	session, I assume somebody is on the other side of a	09:21:57
22	computer. Is that right?	09:22:00
23	A. Correct.	09:22:02
24	Q. Okay. And do you know how many people	09:22:03
25	logged into your training session?	09:22:06

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1 A. I -- I don't know, off the top of my head. 09:22:07
2 We did track that, though, as part of 09:22:10
3 the -- the process. 09:22:13
4 I -- I just don't know that, off the top 09:22:13
5 of my head. 09:22:15
6 Q. Who tracked them? 09:22:16
7 A. Jana Lathrop and Mickey Melamud from the 09:22:17
8 project team. 09:22:22
9 Q. And so they would know the identity of the 09:22:22
10 persons who logged in? 09:22:25
11 A. I don't know if they would know the exact 09:22:26
12 identity. 09:22:29
13 They would know the number of 09:22:29
14 participants. 09:22:31
15 Q. And then in addition to the training 09:22:36
16 sessions, you sent an e-mail to all U.S. managers 09:22:38
17 at -- at what level? 09:22:45
18 A. The HR Communications team sent out a 09:22:46
19 e-mail to all -- any U.S. manager that's 09:22:50
20 responsible -- or that has managerial 09:22:54
21 responsibilities. 09:22:57
22 Q. Is that at a certain M level or any M -- 09:22:58
23 anybody with an M level? 09:23:03
24 A. It would be any M level. 09:23:04
25 Q. Okay. And when was that sent? 09:23:06

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1	A. In late October, before the 31st, before	09:23:16
2	it took place.	09:23:19
3	Q. Okay.	09:23:21
4	A. Before the effective date.	09:23:21
5	Q. Okay. All right. So turning your	09:23:25
6	attention to the first column on the first page of	09:23:28
7	Exhibit 57, it says -- there's a paragraph (as	09:23:32
8	read):	09:23:38
9	"These laws prohibit companies from	09:23:38
10	requesting or requiring candidates to	09:23:41
11	disclose their current or prior pay	09:23:43
12	during the hiring process and prohibit	09:23:44
13	retaliation against candidates who	09:23:47
14	withhold this information."	09:23:49
15	And then there's a bold phrase:	09:23:51
16	"To ensure Oracle's compliant with	09:23:53
17	these laws, Oracle removed the current	09:23:56
18	salary field from the iRecruitment Job	09:24:00
19	Offer Form; and will prohibit questions	09:24:08
20	regarding salary history during the	09:24:12
21	hiring process for all US locations	09:24:14
22	effective October 31, 2017."	09:24:14
23	So before October 31, 2017, there was a	09:24:17
24	current salary field on the iRecruitment Job Offer	09:24:25
25	form?	09:24:27

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BY: KRISTINA KARSTENSSON EDWARDS

1	A. Yes.	09:24:30
2	Q. And that had been on that form for what	09:24:30
3	period of time?	09:24:34
4	A. I don't know.	09:24:36
5	Q. At least since 2013?	09:24:37
6	A. I don't know.	09:24:40
7	Q. Is that your understanding?	09:24:40
8	A. I don't know. I wasn't here. I wasn't at	09:24:42
9	Oracle at that time.	09:24:45
10	Q. All right. But at least the entire time	09:24:47
11	you were there, since May of 2016, it had been on	09:24:48
12	the iRecruitment form?	09:24:51
13	A. Yes.	09:24:53
14	Q. And the i- -- can you describe what the	09:24:56
15	iRecruitment form is?	09:25:00
16	A. It's a form for managers to go in and	09:25:01
17	enter basic candidate information that they're	09:25:05
18	wanting to create an offer for. It's the first step	09:25:09
19	in our kind of workflow approval process.	09:25:13
20	Q. Is it kept online?	09:25:16
21	A. Yes.	09:25:18
22	Q. And it's entered and stored	09:25:18
23	electronically?	09:25:22
24	A. Yes.	09:25:24
25	Q. Okay. And it was used throughout the	09:25:26

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1	U.S.?	09:25:31
2	A. Yes, that's my understanding.	09:25:32
3	Q. Okay. And in the second column -- let's	09:25:36
4	see. Right above the, "Q. "Does this apply to all	09:25:46
5	hires?" there's a paragraph that says:	09:25:53
6	"Oracle's systems reflect these changes	09:25:55
7	and no longer ask for current or prior	09:25:58
8	salary."	09:26:02
9	MS. CONNELL: I'm sorry, Jim. Where are	09:26:04
10	you?	09:26:05
11	(Mr. Finberg indicates on document.)	09:26:05
12	MS. CONNELL: Got it. Thank you.	09:26:08
13	MR. FINBERG: Q. So before October 2017,	09:26:11
14	Oracle did ask for current or prior salary; correct?	09:26:14
15	MS. CONNELL: Objection. Calls for	09:26:18
16	speculation.	09:26:19
17	THE WITNESS: It was a field in the form.	09:26:19
18	MR. FINBERG: Q. Okay. Referring to the	09:26:23
19	iRecruitment form?	09:26:24
20	A. Correct.	09:26:26
21	Q. And do you have an understanding of how	09:26:29
22	that information was obtained so that it could be	09:26:31
23	put into the form?	09:26:33
24	A. I don't.	09:26:35
25	Q. Do you know whether it was the managers or	09:26:36

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1 the Talent Advisory folks who obtained that 09:26:39
2 information? 09:26:43

3 MS. CONNELL: Objection. Assumes facts; 09:26:44
4 calls for speculation. 09:26:45

5 THE WITNESS: I -- I think it depends on 09:26:47
6 who was talking to the candidate. 09:26:50

7 But I don't know specifically. 09:26:53

8 MR. FINBERG: Q. Okay. Now, turning your 09:26:58
9 attention to the next page, which has the Bates 09:27:00
10 number -6675, there's a heading "Salary 09:27:03
11 Conversations with Candidates." And there's a 09:27:11
12 question: 09:27:15

13 "As a hiring manager, how will I know what 09:27:16
14 to offer a candidate without the prior 09:27:19
15 salary data?" 09:27:23

16 So why did you and your group put that 09:27:26
17 question on this form? 09:27:29

18 A. We wanted to address any and all questions 09:27:34
19 that might arise from a -- a hiring manager. 09:27:37

20 And so this was one of the questions that 09:27:42
21 came up, as a group, that we felt should be 09:27:45
22 addressed. 09:27:49

23 Q. And does that reflect your understanding 09:27:53
24 that prior to October 2017, managers were using 09:27:56
25 prior salary data to determine what to offer a 09:28:02

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1 candidate? 09:28:07

2 A. They were -- 09:28:08

3 MS. CONNELL: Objection. Misstates the 09:28:10

4 document. 09:28:11

5 You can answer. 09:28:11

6 THE WITNESS: They weren't prohibited. 09:28:12

7 MR. FINBERG: Q. And is it your 09:28:15

8 understanding that it was a factor that they were 09:28:15

9 considering? 09:28:20

10 MS. CONNELL: Objection. Calls for 09:28:21

11 speculation. 09:28:22

12 THE WITNESS: I don't know. 09:28:23

13 MR. FINBERG: Q. Well, doesn't this 09:28:29

14 suggest that it provided guidance to them? 09:28:30

15 MS. CONNELL: Objection. Misstates the 09:28:39

16 document. 09:28:40

17 THE WITNESS: I don't understand the 09:28:41

18 question. 09:28:42

19 MR. FINBERG: Q. Well, it says: 09:28:43

20 "As a hiring manager, how will I know what 09:28:44

21 to offer the candidate without the prior 09:28:47

22 salary data?" 09:28:49

23 It seems to suggest that in the past the 09:28:52

24 prior salary data had provided guidance, and that 09:28:54

25 without the prior salary data they need some other 09:28:58

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1	guidance.	09:29:01
2	Is that your understanding of what this is	09:29:02
3	communicating?	09:29:04
4	MS. CONNELL: Objection. Misstates the	09:29:05
5	document and argumentative.	09:29:06
6	THE WITNESS: I -- we don't know if	09:29:11
7	managers were asking that question or not.	09:29:15
8	If they were -- we wanted to have an	09:29:17
9	answer that was applicable to our HR business	09:29:20
10	partners to provide them with guidance or directly	09:29:25
11	guidance to the manager, if they were.	09:29:28
12	MR. FINBERG: Q. But at least some people	09:29:32
13	in your group seemed to think that managers had been	09:29:33
14	relying on the data for guidance; correct?	09:29:36
15	MS. CONNELL: Objection. Argumentative;	09:29:40
16	misstates the document; calls for speculation.	09:29:42
17	THE WITNESS: It -- it wasn't prohibited.	09:29:47
18	MR. FINBERG: Q. And do you know whether	09:29:51
19	or not prior salary was used to set initial pay	09:29:52
20	rates during the period 2013 through October 2017?	09:30:01
21	A. I don't know.	09:30:05
22	Q. So the next Q and A says:	09:30:33
23	"Who can assist me in determining the	09:30:36
24	appropriate compensation for the role and	09:30:38
25	then discuss it with the candidate?"	09:30:40

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1	Answer:	09:30:43
2	"Your Talent Advisor will be able to	09:30:44
3	provide you an overview of the external	09:30:46
4	hiring market (information such as the	09:30:49
5	work location hiring trends; competitive	09:30:52
6	landscape; limited talent pools based on	09:30:55
7	skills) and will be able to assist	09:30:59
8	through...the entire process. The Talent	09:31:03
9	Advisor is skilled at discussing and	09:31:06
10	negotiating compensation with a candidate	09:31:09
11	based upon the candidate's salary	09:31:12
12	expectations, experience, and skills	09:31:15
13	needed to ensure alignment for a	09:31:18
14	particular candidate."	09:31:20
15	So what's the basis for that answer?	09:31:23
16	MS. CONNELL: Objection. Compound and	09:31:27
17	vague.	09:31:28
18	THE WITNESS: I believe the basis for that	09:31:35
19	answer is to suggest that managers, if needed, have	09:31:36
20	a talent advisor that they can consult with on all	09:31:43
21	matters listed in the answer.	09:31:47
22	MR. FINBERG: Q. And do you know whether	09:31:52
23	or not prior to October 2017, for the period 2013	09:32:00
24	through October 2017, where it says, "The Talent	09:32:05
25	Advisor is skilled at discussing and negotiating	09:32:10

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1 compensation with the candidate based on the 09:32:13
2 candidate's salary expectation..., " that the talent 09:32:15
3 advisor took prior pay into account when doing that 09:32:18
4 negotiating? 09:32:25
5 MS. CONNELL: Calls for -- objection. 09:32:28
6 Calls for speculation. 09:32:29
7 THE WITNESS: I'm not part of the talent 09:32:30
8 advisory team, so I'm -- I'm not sure. 09:32:31
9 MR. FINBERG: Q. Okay. So you don't know 09:32:34
10 one way or the other? 09:32:36
11 A. I don't. 09:32:37
12 MR. FINBERG: This will be 66. 09:33:56
13 (Deposition Exhibit 66 was marked for 09:33:57
14 identification.) 09:33:57
15 MR. FINBERG: Q. The court reporter has 09:34:16
16 marked as Exhibit 66 a document with the Bates 09:34:16
17 numbers ORACLE_JEWETT_00031007. 09:34:20
18 Do you recognize this document? 09:34:27
19 A. I saw it for the first time yesterday. 09:34:29
20 Q. What do you understand it to be? 09:34:32
21 A. It appears to be an announcement from the 09:34:36
22 Recruiting or Talent Advisory organization. 09:34:38
23 Q. Okay. Did you play any role in the 09:34:42
24 formulation of this document? 09:34:46
25 A. I did not. 09:34:47

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1	Q. Okay. And you didn't receive a copy of it	09:34:48
2	when it went out?	09:34:52
3	A. I did not.	09:34:53
4	Q. It says (as read):	09:35:02
5	"Updates to the Compensation Collection	09:35:06
6	Tool will be made on Wednesday,	09:35:09
7	November 9th."	09:35:11
8	Is the Compensation Collection Tool the	09:35:12
9	iRecruitment form?	09:35:15
10	A. It is not.	09:35:16
11	Q. Okay. What is the Compensation Collection	09:35:17
12	Tool?	09:35:18
13	A. It is a tool -- I received a demonstration	09:35:22
14	on this tool.	09:35:25
15	It's a tool that the Talent Advisory	09:35:26
16	Recruiting team owns and administers.	09:35:27
17	So I don't know its full capabilities.	09:35:31
18	I did participate in a demonstration in	09:35:34
19	either late 2016 or early 2017. And that's where I	09:35:37
20	learned what its purpose was for anything related to	09:35:42
21	compensation -- the Compensation team, rather. And	09:35:46
22	to my knowledge, it is a tool that was created to	09:35:51
23	store the information that any recruiters were	09:35:56
24	collecting or receiving from candidates around their	09:36:02
25	compensation.	09:36:05

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1 Q. Okay. There's a sentence that says: 09:36:13
2 "All compensation fields such as: Base 09:36:15
3 Salary, Hourly Wage, Annual ATV/Bonus will 09:36:17
4 no longer be mandatory, in order to comply 09:36:22
5 with the latest changes in...US work 09:36:25
6 legislation." 09:36:31
7 Is it your understanding that prior to 09:36:31
8 the date of this, those fields were mandatory? 09:36:33
9 A. I don't know that. 09:36:39
10 Q. You don't know one way or the other? 09:36:41
11 A. I don't. 09:36:43
12 MR. FINBERG: Okay. This will be 67. 09:36:44
13 (Deposition Exhibit 67 was marked for 09:37:18
14 identification.) 09:37:18
15 THE WITNESS: Thank you. 09:37:28
16 MR. FINBERG: Q. The court reporter has 09:37:37
17 marked as Exhibit 67 a document with the Bates 09:37:38
18 numbers ORACLE_JEWETT-31017 through -31030. 09:37:41
19 Do you recognize this document? 09:37:52
20 A. I do. 09:37:53
21 Q. What is this? 09:37:54
22 A. This is a document that was created to 09:37:56
23 support the rollout of the changes in practice to 09:38:02
24 the ban on salary history. 09:38:07
25 Q. Did you participate in creating this 09:38:09

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BY: KRISTINA KARSTENSSON EDWARDS

1 document? 09:38:13

2 A. I was part of the team that created this 09:38:13

3 document. 09:38:16

4 Q. Okay. Let me turn your attention to 09:38:17

5 page -31024. 09:38:53

6 A. -31024 you said? 09:39:01

7 Q. Yeah. 09:39:04

8 And there are, "Candidate Salary 09:39:08

9 Questions - What You Can & Can't Say." And there 09:39:11

10 is -- there are two columns. The left column is 09:39:15

11 headed with, "What you used to say," and the right 09:39:18

12 column is headed with, "What you can say now." 09:39:24

13 And did you play a role in drafting this 09:39:31

14 page? 09:39:33

15 A. I reviewed this page. 09:39:34

16 Q. Okay. And so the first bullet point is -- 09:39:37

17 under "What You Used to Say" is: 09:39:40

18 "What is your current salary?" 09:39:43

19 So is it your understanding that hiring 09:39:47

20 managers prior to October of 2017 used to say to 09:39:50

21 prospective candidates, "What is your current 09:39:57

22 salary?" 09:40:00

23 MS. CONNELL: Objection. Calls for 09:40:01

24 speculation. 09:40:02

25 THE WITNESS: I don't know what they 09:40:04

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BY: KRISTINA KARSTENSSON EDWARDS

1 asked. 09:40:05

2 They weren't prohibited from asking that 09:40:05

3 question. 09:40:07

4 MR. FINBERG: Q. Okay. But the document 09:40:08

5 is -- is less ambiguous than that. It's not, "What 09:40:13

6 you used to not be prohibited from saying." It's, 09:40:18

7 "What you used to say." 09:40:20

8 So it's -- is it your understanding that 09:40:23

9 that is what people -- the managers used to ask? 09:40:25

10 MS. CONNELL: Objection. Misstates the 09:40:28

11 document; argumentative; and asked and answered. It 09:40:30

12 also calls for speculation, just like it did the 09:40:33

13 first time you asked the question. 09:40:35

14 THE WITNESS: I don't know what managers 09:40:40

15 or what candidates were asked prior to this, so I 09:40:44

16 can't entirely speak to it. 09:40:49

17 We had -- we added this section and this 09:40:51

18 question in the case that it was a relevant question 09:40:54

19 that a manager would ask prior. 09:40:58

20 MR. FINBERG: Q. Well, why does this 09:41:03

21 document phrase it this way, as "What you used to 09:41:04

22 say"? 09:41:07

23 A. I can't speak to that. 09:41:09

24 The format of this particular slide was 09:41:11

25 created by our HR Communications team. And they 09:41:14

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1 typically want to take a bit of a marketing slant on 09:41:16
2 presenting some of this information to the managers. 09:41:23
3 "Marketing" may have been an untrue word, but just a 09:41:26
4 more casual approach to communicating with the 09:41:40
5 managers. 09:41:43
6 Q. Was there a discussion about whether 09:41:46
7 that's what managers used to say in your group as 09:41:49
8 you were drafting this document? 09:41:51
9 A. Only to the extent that it was brought up 09:41:56
10 as a question that needed to be added and addressed. 09:41:59
11 MR. FINBERG: I'll make this 68. 09:43:02
12 (Deposition Exhibit 68 was marked for 09:43:03
13 identification.) 09:43:03
14 MR. FINBERG: Q. The court reporter has 09:43:25
15 marked as Exhibit 68 a PowerPoint presentation, the 09:43:26
16 first page of which is -0030956. And then I guess 09:43:36
17 the document was produced in native format, so the 09:43:44
18 rest of the pagination is internal to the document. 09:43:47
19 Do you recognize this? 09:43:52
20 A. I recognize elements of this. 09:44:02
21 Q. Okay. What is it? 09:44:05
22 A. It appears to be a recruiting process 09:44:08
23 document. 09:44:13
24 Q. And who, to your knowledge, created this? 09:44:15
25 A. I don't know. 09:44:19

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 Q. Well, who creates recruiting process 09:44:25
2 documents at Oracle? 09:44:29

3 MS. CONNELL: Objection. Calls for 09:44:30
4 speculation. 09:44:31

5 It's also beyond the scope of the topic 09:44:32
6 for which she's been designated as the PMK. 09:44:34

7 THE WITNESS: I -- I could only speculate 09:44:39
8 that it would be somebody in the talent advisory 09:44:42
9 organization. 09:44:45

10 MR. FINBERG: Q. Is this a document that 09:44:49
11 you saw or have seen during your work as director or 09:44:51
12 senior director of Compensation? 09:44:55

13 A. I have -- I don't believe I have -- I'm 09:45:01
14 not entirely sure. 09:45:09

15 I've seen parts of this document. 09:45:11

16 Q. Which parts have you seen? 09:45:13

17 A. So I've seen some of the screenshots 09:45:15
18 around the iRecruitment Offer Form. 09:45:19

19 Q. What page are you referring to? 09:45:22

20 A. I'm referring to page 10. 09:45:24

21 Q. Okay. What is page 10? 09:45:42

22 A. It's the beginning of the iRecruitment 09:45:44
23 Offer Form. 09:45:47

24 Q. Okay. And then the next pages are the 09:45:51
25 continuation of the form? 09:45:53

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 So does this indicate to you that that is 09:47:17
2 information that was sought, collected, and stored 09:47:20
3 from 2014 through October of 2017? 09:47:25
4 MS. CONNELL: Objection. Calls for 09:47:28
5 speculation. 09:47:30
6 THE WITNESS: Since I wasn't part of 09:47:31
7 Oracle at that time, I -- I can't answer that 09:47:33
8 question. 09:47:35
9 MR. FINBERG: Q. Well, looking at the 09:47:36
10 document, it says 2014. 09:47:37
11 Do you have any reason to believe that's 09:47:38
12 not true? 09:47:40
13 MS. CONNELL: Objection. The document 09:47:41
14 speaks for itself; calls for speculation. 09:47:42
15 THE WITNESS: Again, it would be a pure 09:47:45
16 speculation on my part. 09:47:47
17 MR. FINBERG: Q. But you have no reason 09:47:48
18 to think that they didn't collect this information 09:47:49
19 from 2014 through October 2017; correct? 09:47:51
20 MS. CONNELL: Objection. Calls for 09:47:54
21 speculation -- 09:47:55
22 THE WITNESS: I -- 09:47:57
23 MS. CONNELL: -- asked and answered. 09:47:58
24 THE WITNESS: I don't know. 09:47:59
25 MR. FINBERG: This will be 69. 09:49:33

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	(Deposition Exhibit 69 was marked for	09:49:35
2	identification.)	09:49:35
3	THE WITNESS: Thank you.	09:49:46
4	MR. FINBERG: Q. So Exhibit 69 is another	09:49:59
5	PowerPoint. The first page is -00030967 and then --	09:50:01
6	it was produced in native format, so the rest of the	09:50:07
7	pages are internal.	09:50:12
8	Do you recognize this document?	09:50:13
9	A. Give me a minute, please.	09:50:28
10	It -- again, I -- I recognize certain	09:50:42
11	slides. It appears to be another recruiting process	09:50:44
12	document.	09:50:48
13	Q. Okay. Which slides do you recognize?	09:50:49
14	A. Specifically, the slides that pertain to	09:50:53
15	the iRecruitment Offer page --	09:50:55
16	Q. Okay.	09:51:00
17	A. -- or I'm sorry --	09:51:00
18	Q. What pages are those at?	09:51:02
19	A. So it's 12 through -- through 18.	09:51:03
20	Q. Okay. And, again, on page 14, the	09:51:19
21	iRecruitment form is asking for the candidate's	09:51:25
22	current salary, correct, on the top-right corner of	09:51:27
23	page 14?	09:51:30
24	MS. CONNELL: Objection. Misstates the	09:51:31
25	document, and it speaks for itself.	09:51:33

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 THE WITNESS: That is a field on the form. 09:51:36

2 MR. FINBERG: Q. Okay. And again on 09:51:39

3 page 17, "Candidate's Current Salary" is listed as 09:51:41

4 one of the items collected in the summary? 09:51:46

5 A. Correct. 09:51:49

6 Q. And is it your understanding that this 09:51:49

7 document was created and used on or around 2014? 09:52:00

8 A. I don't know. 09:52:04

9 Q. It's dated 2014. 09:52:09

10 Do you have any reason to believe that's 09:52:10

11 not correct? 09:52:12

12 MS. CONNELL: Objection. Calls for 09:52:13

13 speculation. 09:52:14

14 THE WITNESS: Again, I can only speculate 09:52:15

15 or infer that from the footer, but I don't know 09:52:16

16 that. I'm not part of that team that would have 09:52:19

17 created this, and I wasn't at Oracle at the time. 09:52:21

18 MR. FINBERG: This will be 70. 09:53:52

19 THE WITNESS: Thank you. 09:53:54

20 (Deposition Exhibit 70 was marked for 09:53:55

21 identification.) 09:53:55

22 MR. FINBERG: Q. The court reporter has 09:53:58

23 marked as Exhibit 70 a PowerPoint, the first page of 09:53:59

24 which is -00030994. And then it's produced in 09:54:06

25 native format, so the rest of the pages are 09:54:12

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 internal. 09:54:14

2 Do you recognize this document? 09:54:15

3 A. I'm just reviewing. 09:54:27

4 I believe I do recognize this document. 09:55:18

5 Q. What is this? 09:55:21

6 A. This is a portion of the Manager 09:55:22

7 Essentials Training that the Talent Advisory team 09:55:30

8 develops. 09:55:35

9 And the way that I recognize this is, this 09:55:36

10 is a portion that is shared with managers upon -- 09:55:41

11 we -- I participate in an M and A manager onboarding 09:55:50

12 session. 09:55:55

13 Right after an acquisition is made formal, 09:55:56

14 we -- we do a manager training session. And this is 09:56:00

15 the Talent Advisory portion of that. 09:56:03

16 That's how -- that's one of the uses of 09:56:06

17 this. I don't know if there are other uses. But 09:56:10

18 that's how I recognize it. 09:56:12

19 Q. So you've sat at training sessions with 09:56:13

20 managers where this presentation was given by the 09:56:16

21 Talent Advisory people? 09:56:18

22 A. I have. 09:56:19

23 Q. Okay. On how many occasions? 09:56:20

24 MS. CONNELL: I just object as beyond the 09:56:25

25 scope of the PMK topic for which she's been 09:56:26

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 designated. 09:56:29

2 You can answer. 09:56:30

3 THE WITNESS: Probably somewhere between 09:56:32

4 five and ten. 09:56:38

5 MR. FINBERG: Q. Okay. Going back to 09:56:40

6 2016? 09:56:43

7 A. Early 2017. 09:56:44

8 Q. Okay. Turning your attention to internal 09:56:46

9 page 11, just below the middle -- well, this is a 09:56:54

10 list that says "Information Required," in bold. 09:57:03

11 And then one of the checked items down a 09:57:07

12 little below halfway says: 09:57:13

13 "Current base salary and OTE." 09:57:17

14 Do you see that? 09:57:20

15 A. I do. 09:57:21

16 Q. What is "OTE"? 09:57:21

17 A. On-target earnings. 09:57:23

18 Q. Okay. What are -- what are those? 09:57:24

19 A. So it's generally a term that's referred 09:57:26

20 to as somebody's salary and any target variable pay 09:57:29

21 for our sales-incented employees. The addition of 09:57:34

22 those two would be the on-target earnings. 09:57:38

23 Q. So at least as of this date in 2017 -- it 09:57:41

24 has a copyright of 2017 at the bottom; presumably 09:57:47

25 it's before October 31 -- Talent Advisory was 09:57:51

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 training managers that collecting information on 09:57:54
2 current base salary was required information for all 09:57:58
3 offers submitted for review; correct? 09:58:01
4 MS. CONNELL: Objection. The document 09:58:04
5 speaks for itself and calls for speculation. 09:58:05
6 You can answer. 09:58:08
7 THE WITNESS: This is referring back to 09:58:09
8 the field in iRecruit (sic) offer form. 09:58:10
9 MR. FINBERG: Q. And so the answer is, 09:58:16
10 correct, that it was required to submit information 09:58:17
11 on current base salary offers submitted for review? 09:58:21
12 A. I -- 09:58:25
13 MS. CONNELL: Objection. Asked and 09:58:26
14 answered. 09:58:27
15 THE WITNESS: I can't speak to that. I 09:58:28
16 don't know all of the nuances of this form and what 09:58:29
17 was mandatory and what wasn't. 09:58:33
18 MR. FINBERG: Q. Is that your 09:58:36
19 understanding of what this page says? 09:58:36
20 MS. CONNELL: Objection. The document 09:58:39
21 speaks for itself. 09:58:40
22 THE WITNESS: It -- if I read it, it -- 09:58:41
23 that's what it says. 09:58:49
24 MR. FINBERG: Q. All right. And on the 09:58:51
25 next page, page 12, it has a screenshot of the 09:58:59

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 iRecruitment form and the field that asks for 09:59:03
2 current salary; correct? 09:59:06
3 MS. CONNELL: Again -- again, the document 09:59:10
4 speaks for itself. 09:59:11
5 It's also beyond the scope of her topic. 09:59:17
6 MR. FINBERG: Q. On the top right. 09:59:20
7 A. Sorry. I'm having a little trouble 09:59:21
8 reading it. 09:59:23
9 Yes. Yes, it does in the upper right-hand 09:59:24
10 corner. 09:59:26
11 Q. And then on the left-hand (sic) column, 09:59:27
12 the bottom third, it says: 09:59:29
13 "Candidate's current salary...Enter 09:59:31
14 numerals..." 09:59:33
15 Correct? 09:59:34
16 MS. CONNELL: Where are you looking? 09:59:35
17 MR. FINBERG: It's on the right-hand 09:59:37
18 column. 09:59:38
19 THE WITNESS: That's what this states, 09:59:40
20 yes. 09:59:41
21 MR. FINBERG: Q. And on page 17, where it 09:59:41
22 talks about an offer justification, the last bullet 10:00:02
23 point says: 10:00:05
24 "His current salary / OTE is USD/USD, and 10:00:09
25 we are proposing USD/USD which is within 10:00:16

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	current salary range for this grade which	10:00:22
2	is Base Salary Min...Mid...Max..."	10:00:24
3	Do you see that?	10:00:29
4	A. I do.	10:00:31
5	Q. So it's indicating that current salary was	10:00:31
6	one of the items taken into account when justifying	10:00:34
7	an offer; correct?	10:00:37
8	MS. CONNELL: Objection. Misstates the	10:00:38
9	document; calls for speculation.	10:00:39
10	THE WITNESS: That's just one example that	10:00:42
11	was provided.	10:00:43
12	MR. FINBERG: Q. But that example takes	10:00:46
13	current salary into account; correct?	10:00:48
14	A. It appears to.	10:00:50
15	MS. CONNELL: Objection. The document	10:00:53
16	speaks for itself.	10:00:54
17	MR. FINBERG: Q. Okay.	10:00:55
18	MS. CONNELL: Jim, we've been going about	10:02:22
19	an hour. Can we take a break?	10:02:24
20	MR. FINBERG: Sure. Okay.	10:02:26
21	THE VIDEOGRAPHER: The time is 10:02 a.m.	10:02:27
22	We are now off the record.	10:02:29
23	(Recess taken: 10:02 a.m. until 10:12 a.m.)	10:12:08
24	THE VIDEOGRAPHER: The time is 10:12 a.m.	10:12:27
25	We are now back on the record.	10:12:29

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 Here begins Media No. 2 of the deposition 10:12:31
2 of Kris Edwards. 10:12:33

3 MR. FINBERG: Q. I'm now going to turn to 10:12:38
4 a few documents that your counsel produced this 10:12:40
5 morning before today's deposition. 10:12:43

6 A. Uh-huh. 10:12:45

7 MR. FINBERG: This will be 71. 10:12:59

8 (Deposition Exhibit 71 was marked for 10:13:00
9 identification.) 10:13:00

10 MR. FINBERG: Q. Excuse me. Exhibit 71 10:13:17
11 has the Bates numbers ORACLE_JEWETT-61987 to -61988. 10:13:19

12 Do you recognize this document? 10:13:28

13 A. I do. 10:13:29

14 Q. What is this? 10:13:30

15 A. It was an e-mail announcing the practice 10:13:31
16 change. 10:13:34

17 Q. Okay. And this is the e-mail that you 10:13:38
18 testified about yesterday -- excuse me -- earlier 10:13:40
19 this morning? 10:13:42

20 A. Yes. 10:13:43

21 Q. Okay. And did you play a role in 10:13:44
22 preparing this? 10:13:47

23 A. I did not. 10:13:49

24 This was produced by the -- well, I was 10:13:52
25 part of the project team that produced this, but it 10:13:55

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 was predominantly produced by our HR Communications 10:13:58
2 organization. 10:14:03

3 Q. Okay. But you were part of the project 10:14:04
4 team, and you received it? 10:14:05

5 A. Correct. 10:14:07

6 Q. And did you have conversations with people 10:14:09
7 about this? 10:14:10

8 MS. CONNELL: Objection. Vague. 10:14:13

9 THE WITNESS: I'm sure we -- I'm sure I 10:14:21
10 talked to my boss about it, and my team, just that 10:14:25
11 it was going out. But I don't remember any other 10:14:30
12 discussions about this. 10:14:34

13 MR. FINBERG: Q. And after it was sent, 10:14:36
14 did you communicate with managers about these 10:14:37
15 changes? 10:14:41

16 A. We -- another e-mail was distributed. 10:14:46

17 Q. What does that mean? 10:14:49

18 A. A follow-up e-mail to managers was 10:14:50
19 distributed. That's how they were communicated to. 10:14:52
20 I didn't directly communicate with the 10:14:55
21 managers. 10:14:57

22 MR. FINBERG: Okay. Well, let's mark 10:15:00
23 (tendering). 10:15:01

24 (Deposition Exhibit 72 was marked for 10:15:20
25 identification.) 10:15:21

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 MR. FINBERG: Q. The court reporter has 10:15:28
2 marked as Exhibit 72 a document with the Bates 10:15:28
3 numbers ORACLE_JEWETT-61989 through -61991. 10:15:32
4 Do you recognize this document? 10:15:44
5 A. I do. 10:15:45
6 Q. What is this? 10:15:45
7 A. This is the e-mail that was distributed to 10:15:46
8 all of our U.S. man- -- our managers that managed 10:15:50
9 U.S.-based employees. 10:15:56
10 Q. Okay. And did you play a role in 10:16:00
11 preparing this? 10:16:01
12 A. I was part of the project team that put 10:16:02
13 this together. 10:16:05
14 Q. All right. And page -61990 says: 10:16:37
15 "The legislation applies to anyone acting 10:16:41
16 as an agent of Oracle in the hiring 10:16:43
17 process for external candidates in US 10:16:46
18 locations, including 10:16:48
19 "Talent Advisors/Recruiters" and 10:16:52
20 "Hiring Managers." 10:16:55
21 Do you see those bullet points? 10:16:56
22 A. I do. 10:16:58
23 Q. And what is your understanding of the role 10:16:59
24 that talent advisors/recruiters play in the hiring 10:17:00
25 process? 10:17:05

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 MS. CONNELL: Objection. Beyond the scope 10:17:07
2 of the desig- -- topic for which she's been 10:17:08
3 designated; calls for speculation; it's also vague. 10:17:10
4 THE WITNESS: I think I said earlier that 10:17:15
5 I'm not part of the Talent Advisor or Recruiting 10:17:17
6 team, so I don't know a comprehensive list of their 10:17:20
7 duties and responsibilities. 10:17:22
8 It's my understanding that they can be a 10:17:24
9 resource used by managers to help in the sourcing 10:17:27
10 and recruiting of candidates. 10:17:31
11 (Deposition Exhibit 73 was marked for 10:17:34
12 identification.) 10:17:39
13 MR. FINBERG: Q. The court reporter has 10:18:13
14 marked as Exhibit 73 a document with the Bates 10:18:15
15 numbers ORACLE_JEWETT-61992 through -62011. 10:18:20
16 Do you recognize this document? 10:18:32
17 A. I do. 10:18:35
18 Q. What is this? 10:18:36
19 A. It is a presentation that was provided to 10:18:42
20 our HR team regarding the practice change that was 10:18:46
21 implemented in October 2017. 10:18:52
22 Q. Okay. And turning your attention to 10:18:55
23 page 3 of the presentation, which has Bates number 10:18:57
24 -61994, under "Presenters," it lists, "Kris Edwards, 10:19:01
25 director, US Compensation." 10:19:09

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1	Is that you?	10:19:11
2	A. It is.	10:19:12
3	Q. So you were one of the presenters for this	10:19:12
4	PowerPoint presentation?	10:19:14
5	A. I was.	10:19:15
6	Q. And when was this?	10:19:16
7	A. It was in late October, I would say -- I'm	10:19:19
8	sorry -- mid-October 2017, prior to the changes that	10:19:26
9	were rolled out.	10:19:29
10	Q. Now, is this one of the two virtual	10:19:31
11	sessions that you testified about this morning?	10:19:34
12	A. Yes.	10:19:36
13	Q. Okay. And so this is the -- the	10:19:36
14	PowerPoint presentation for those training sessions	10:19:40
15	that you testified about?	10:19:42
16	A. Correct.	10:19:44
17	Q. And on page 9, there's a page, "Supporting	10:20:04
18	the New Legislation in the Hiring Process."	10:20:11
19	There's two columns:	10:20:14
20	"What is changing."	10:20:15
21	"What is NOT changing."	10:20:16
22	And did you prepare this slide?	10:20:22
23	A. I was part of the project team that	10:20:26
24	prepared this presentation.	10:20:28
25	Q. Okay. And the first bullet is:	10:20:29

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 "Only change is NOT asking candidates for 10:20:34
2 current or prior salary." 10:20:37
3 So before October 2017, candidates were 10:20:38
4 asked for current or prior salary; correct? 10:20:42
5 MS. CONNELL: Objection. Misstates the 10:20:45
6 document; asked and answered; and calls for 10:20:46
7 speculation. 10:20:49
8 THE WITNESS: It was permissible to ask 10:20:50
9 prior to this rollout. 10:20:51
10 MR. FINBERG: Q. All right. And it 10:20:56
11 says -- the second bullet point (as read): 10:20:57
12 "Remove current salary field from offer 10:21:00
13 form and iRecruitment," and then it says, 10:21:05
14 "(September 23)." 10:21:08
15 So before September 23 the iRecruitment 10:21:12
16 form had a "Current Salary" field; correct? 10:21:15
17 A. Correct. 10:21:17
18 Q. And then the next page of this PowerPoint 10:21:22
19 looks similar to a document that we saw earlier. It 10:21:25
20 has the "Reframing the Candidate Salary Question," 10:21:29
21 "What you used to say" on the left column, and "What 10:21:34
22 you can say now." 10:21:37
23 Did you play a role in preparing this page 10:21:39
24 of this document? 10:21:42
25 A. Again, I was on the project team that 10:21:43

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 prepared this. 10:21:45

2 Q. Okay. And, again, the first bullet point 10:21:46

3 suggests that prior to October 2017, managers used 10:21:50

4 to say, "What is your current salary?" Correct? 10:21:56

5 MS. CONNELL: Objection. Misstates the 10:21:59

6 document -- 10:22:01

7 THE WITNESS: It was -- 10:22:02

8 MS. CONNELL: -- and asked and answered. 10:22:03

9 Sorry. 10:22:04

10 You can answer. 10:22:05

11 THE WITNESS: It was permissible to ask 10:22:05

12 that question. 10:22:07

13 MR. FINBERG: Q. And it's your 10:22:08

14 understanding that they did, in fact, ask that 10:22:09

15 question; correct? 10:22:11

16 MS. CONNELL: Objection. Misstates her 10:22:12

17 testimony; asked and answered; argumentative. 10:22:13

18 THE WITNESS: I -- I don't know. 10:22:15

19 MR. FINBERG: Q. Okay. And the next 10:22:21

20 page -- it's 11 of the document, it's Bates numbered 10:22:22

21 -62002 -- can you describe what this is? 10:22:27

22 A. This is a slide that focuses on the 10:22:32

23 factors and the components and other considerations 10:22:35

24 to assessing the value of a job. 10:22:39

25 Q. And who created this list? 10:22:43

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 then enters our approval workflow. 10:26:37

2 MR. FINBERG: Q. And at least through the 10:26:40

3 time that you've been at Oracle, it's been used 10:26:42

4 throughout the United States? 10:26:46

5 A. Yes. 10:26:48

6 Q. And it's been used for people hired into 10:26:50

7 Product Development, Information Technology, and 10:26:55

8 Support? 10:26:59

9 A. That's my understanding. 10:27:00

10 I'm not a subject-matter expert in the 10:27:03

11 tool or in the recruiting process, but... 10:27:05

12 Q. Okay. And is it your understanding -- I 10:27:08

13 know you weren't there until May of 2016. But is it 10:27:11

14 your understanding that it was used back through -- 10:27:15

15 from 2013? 10:27:18

16 MS. CONNELL: Objection. Calls for 10:27:20

17 speculation and, as with the prior questions, it's 10:27:21

18 beyond the scope of her PMK topic. 10:27:25

19 THE WITNESS: I don't know that for sure. 10:27:28

20 MR. FINBERG: I have no further questions 10:27:29

21 today of this witness. 10:27:31

22 Thank you. 10:27:33

23 THE REPORTER: Do you want a rough draft? 10:27:35

24 MS. CONNELL: Yes, please. 10:27:38

25 THE REPORTER: And the same transcript 10:27:40

VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

1 order as last time? 10:27:41
2 MS. CONNELL: Correct, yes. 10:27:43
3 And you have all of our information; 10:27:44
4 correct? 10:27:45
5 THE REPORTER: Yes, I do. 10:27:47
6 THE VIDEOGRAPHER: We are now off the 10:27:53
7 record. 10:27:54
8 The time is 10:28 a.m. 10:27:54
9 (Whereupon, the proceedings were concluded at
10 10:28 a.m.)
11 ---oOo---
12 I declare under penalty of perjury that
13 the foregoing is true and correct. Subscribed at
14 _____, California, this ____ day
15 of _____, _____.
16
17
18
19 _____
20 KRISTINA KARSTENSSON EDWARDS
21
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VIDEOTAPED PMK DEPOSITION OF ORACLE AMERICA, INC.
BY: KRISTINA KARSTENSSON EDWARDS

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CERTIFICATE OF REPORTER

I, JANE GROSSMAN, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition is a true record and was taken in shorthand by me, a disinterested person, at the time and place therein stated, and that the testimony of said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

I further certify that I am not of counsel or attorney for any of the parties to said deposition, nor in any way interested in the events of this cause, and that I am not related to any of the parties thereto.

Dated: October 23, 2018

JANE GROSSMAN, CSR No. 5225

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October 23, 2018

Ms. Kristina Karstensson Edwards
c/o Erin M. Connell, Attorney at Law
Orrick, Herrington & Sutcliffe LLP
The Orrick Building
405 Howard Street
San Francisco, California 94105-2669

Re: Jewett, et al., vs. Oracle America, Inc.

Dear Ms. Edwards:

Please be advised that the original transcript of your deposition, taken on October 16, 2018 in the above-entitled matter, is available for reading, correcting, and signing.

The original transcript will be held at the offices of Jane Grossman Reporting Services, 1939 Harrison Street, Suite 460, Oakland, California 94612, for 30 days, in accordance with California Code of Civil Procedure Section 2025.520, or until requested for trial.

If you are represented by counsel in this matter, you may wish to ask your attorney how to proceed.

If you are not represented by counsel and if you wish to review the original of your deposition transcript, please contact our office to arrange for a mutually convenient appointment to do so.

Very truly yours,

Jane Grossman Reporting Services

cc: Original transcript
James M. Finberg, Attorney at Law
John T. Mullan, Attorney at Law
Erin M. Connell, Attorney at Law

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BY: KRISTINA KARSTENSSON EDWARDS

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BY: KRISTINA KARSTENSSON EDWARDS

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