

1 UNITED STATES DEPARTMENT OF LABOR  
2 OFFICE OF ADMINISTRATIVE LAW JUDGES  
3  
4 OFFICE OF FEDERAL CONTRACT ) OALJ Case No.  
5 COMPLIANCE PROGRAMS, UNITED ) 2017-OFC-00006  
6 STATES DEPARTMENT OF LABOR, )  
7 ) OFCCP No.  
8 Plaintiff, ) R00192699  
9 )  
10 vs. )  
11 )  
12 ORACLE AMERICA, INC., )  
13 )  
14 Defendant. )  
15 \_\_\_\_\_ )  
16  
17 VIDEOTAPED DEPOSITION OF SHAUNA HOLMAN-HARRIES  
18 9:00 a.m.  
19 May 8, 2019  
20 Phoenix, Arizona  
21  
22  
23  
24 REPORTED BY:  
25 Robin L. B. Osterode, CSR, RPR  
AZ Certified Reporter No. 50695  
JOB No. 190508ROS

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1 VIDEOTAPED DEPOSITION OF SHAUNA HOLMAN-HARRIES  
2 commenced at 9:00 a.m. on May 8, 2019, at Phoenix,  
3 Arizona, before Robin L. B. Osterode, CSR, RPR,  
4 Arizona Certified Reporter No. 50695.  
5  
6  
7 \* \* \*  
8  
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Leonard Call

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5

1 SHAUNA HOLMAN-HARRIES,  
2 having been first duly sworn, was examined and  
3 testified as follows:  
4

5 E X A M I N A T I O N

6 BY MS. BREMER:

7 Q. Please state your name for the record.  
8 A. Shauna Holman-Harries.  
9 Q. And how would you prefer that I refer to  
10 you during the deposition?  
11 A. It's completely up to you. You can --  
12 probably "Shauna" would probably be best, easiest, I  
13 think, for you.  
14 MS. CONNELL: Laura, can I put something on  
15 the record at the beginning, similar to the statement  
16 I made at Kate Wagner's deposition?  
17 MS. BREMER: Yes.  
18 MS. CONNELL: Okay. I just want to make  
19 clear for the record that Ms. Holman-Harries is here  
20 today to testify in her personal capacity, not as a  
21 30(b)(6) witness on any topic. And under Federal  
22 Rule of Civil Procedure 30(d), OFCCP is entitled to  
23 one day of deposition with her for up to seven hours.  
24 So we're here today for that deposition.  
25 We've told OFCCP previously, including in

7

1 Phoenix, Arizona  
2 May 8, 2019  
3 9:00 a.m.

4 THE VIDEOGRAPHER: This is the videotaped  
5 deposition of Shauna Holman-Harries, in the matter of  
6 U.S. Department of Labor versus Oracle America,  
7 Incorporated, case number 001929699 [sic]. The time  
8 on the video monitor is 9:04 a.m. Today's date is  
9 May 8th, 2019.

10 My name is Leonard Call, with Gradillas  
11 Court Reporters, located at 520 North Central Avenue,  
12 Suite 720, Glendale, California 91203.

13 Would counsel please voice identify  
14 themselves.

15 MS. BREMER: This is Laura Bremer. I'm  
16 representing the U.S. Department of Labor.

17 MR. GARCIA: Norm Garcia, United States  
18 Department of Labor.

19 MS. CONNELL: Erin Connell of Orrick,  
20 Herrington & Sutcliffe, representing defendant Oracle  
21 and the witness.

22 MS. GRUNDY: Kayla Grundy from Orrick,  
23 Herrington & Sutcliffe, on behalf of defendant  
24 Oracle.  
25

6

1 writing, that data and document production is still  
2 underway, and have suggested that OFCCP may wish to  
3 wait until all of those documents and data are  
4 produced before deposing Ms. Holman-Harries, but  
5 OFCCP, nevertheless, chose to go forward with the  
6 deposition today. So as we've confirmed before, this  
7 is OFCCP's one day of deposition with her.

8 OFCCP also has served several 30(b)(6)  
9 deposition topics, including several related to OFCCP  
10 compliance-related matters. We've suggested that,  
11 for the convenience of the witness and the parties,  
12 it would make sense to do Ms. Holman-Harries'  
13 personal deposition and those 30(b)(6) topics at one  
14 time, but OFCCP declined that request, even though we  
15 did offer to make her available.

16 So Oracle reserves its rights, in light of  
17 all of this, to take all of this into consideration  
18 on the ongoing meet and confer discussions over  
19 30(b)(6) topics.

20 Thanks.

21 MS. BREMER: Okay. That -- you -- the  
22 record speaks for itself, in terms of what  
23 suggestions you've made and whether or not we, you  
24 know, our responses to those.  
25 In addition, we understand your position,

8

1 but we have a different opinion. And so we'll go  
 2 ahead and move forward with the deposition.  
 3 **Q.** Have you ever had your deposition taken  
 4 before?  
 5 **A.** No.  
 6 **Q.** You understand that you're -- the testimony  
 7 that you give today is under oath. Correct?  
 8 **A.** Yes.  
 9 **Q.** And it's subject to the penalty of perjury  
 10 if you don't tell the truth?  
 11 **A.** Yes.  
 12 **Q.** The court reporter is going to be  
 13 transcribing all of my questions and all of your  
 14 answers, so it's important that you speak audibly, as  
 15 opposed to shaking your head or saying "uh-huh" or  
 16 "huh-uh."  
 17 Do you understand?  
 18 **A.** Yes.  
 19 **Q.** And it's also important that you wait until  
 20 I finish my question before you start your answer,  
 21 and I'll try and wait until you finish your answer  
 22 before I ask another question.  
 23 Is that fair?  
 24 **A.** Yes.  
 25 **Q.** If you don't understand one of my

9

1 **Q.** Is there any reason we cannot proceed  
 2 today?  
 3 **A.** No.  
 4 **Q.** What did you do to prepare for today's  
 5 deposition?  
 6 **A.** I met with outside counsel from Orrick law  
 7 firm.  
 8 **Q.** And how many times did you meet to prepare  
 9 for the deposition?  
 10 **A.** I met two times in person, and I had two  
 11 telephone calls.  
 12 **Q.** Did you review any documents when you were  
 13 preparing for this deposition?  
 14 **A.** Yes.  
 15 **Q.** How many documents did you review?  
 16 **MS. CONNELL:** Just going to caution the  
 17 witness not to disclose which documents those were on  
 18 the basis of attorney work product.  
 19 **THE WITNESS:** I can't recall the number of  
 20 documents that I reviewed.  
 21 **BY MS. BREMER:**  
 22 **Q.** Can you approximate?  
 23 **A.** I don't feel comfortable approximating. I  
 24 know that there were more than 30, but I can't -- I  
 25 really don't feel comfortable approximating. I want

11

1 questions, please ask me to clarify or tell me that  
 2 you don't understand my question, and I'll be glad to  
 3 do so.  
 4 Is that fair?  
 5 **A.** Yes.  
 6 **Q.** If you do answer my question and do not ask  
 7 me to clarify, I'll assume that you understand the  
 8 question.  
 9 Is that fair?  
 10 **A.** Yes.  
 11 **Q.** Please answer each question to the best of  
 12 your ability. I'm entitled to your best estimate,  
 13 but I don't want you to guess. Do you understand the  
 14 difference between those two things?  
 15 **A.** Yes.  
 16 **Q.** After the deposition, the court reporter  
 17 will produce a formal transcript; you'll have a  
 18 chance to review and correct it. And I will have the  
 19 chance to comment on any changes that you make at the  
 20 hearing. So it's important that you give your best  
 21 testimony today.  
 22 Do you understand?  
 23 **A.** Yes.  
 24 **Q.** Do you have any questions?  
 25 **A.** No.

10

1 to give you a truthful answer and -- and so that's my  
 2 answer, is I really don't recall how many there were.  
 3 **Q.** Did any of the documents help you refresh  
 4 your recollection or remember what had occurred today  
 5 or in preparation for the deposition?  
 6 **A.** Yes.  
 7 **Q.** And which documents were those?  
 8 **A.** The Lisa Gordon interview refreshed my  
 9 memory. And then that's -- that's really -- that's  
 10 about it.  
 11 **Q.** Have you discussed your deposition with  
 12 anyone outside of attorneys at Orrick?  
 13 **A.** Yes.  
 14 **Q.** And who is that?  
 15 **A.** My staff and my coworkers. And my  
 16 daughter. Various coworkers.  
 17 **Q.** And when you discussed your deposition with  
 18 staff and coworkers, was that outside the presence of  
 19 your attorneys at Orrick?  
 20 **A.** Yes, on some occasions.  
 21 **Q.** Did you discuss the substance of this  
 22 deposition with your staff or coworkers?  
 23 **A.** No. Only -- only that it was in relation  
 24 to the HQ audit, but nothing other than that.  
 25 **Q.** And when you say "HQ," you mean Oracle's

12

1 headquarters?  
2 **A.** Yes.  
3 **Q.** And if we use the term "HQ" or  
4 "HQCA" throughout the deposition, we'll be referring  
5 to Oracle's headquarters at Redwood Shores. Okay?  
6 **A.** Okay.  
7 **Q.** What is your highest educational degree?  
8 **A.** I have a master's degree.  
9 **Q.** And where did you get your master's degree?  
10 **A.** At Strayer University.  
11 **Q.** How do you spell that?  
12 **A.** S-t-r-a-y-e-r, University.  
13 **Q.** And where is Strayer University located?  
14 **A.** They're located in -- in various locations,  
15 but Maryland, Washington, D.C., that area.  
16 **Q.** And which -- which campus did you attend?  
17 **A.** The campus was in Washington, D.C.  
18 **Q.** And when did you graduate from Strayer  
19 University?  
20 **A.** In 2005.  
21 **Q.** Was your first job after graduating from  
22 Strayer University at United Space Alliance?  
23 **A.** After graduating from there, yes.  
24 **Q.** And you worked there for five years?  
25 **A.** Yes.

13

1 compliance?  
2 **A.** Yes.  
3 **Q.** Did you have duties with respect to  
4 diversity?  
5 **A.** Yes.  
6 **Q.** Were you involved in any OFCCP compliance  
7 audits --  
8 **A.** Yes.  
9 **Q.** -- at United Space Alliance?  
10 **A.** Yes.  
11 **Q.** How many?  
12 **A.** There were two.  
13 **Q.** And what was your role in those audits?  
14 **A.** One was an audit that was in Florida, and I  
15 came in on the very tail end of that audit. It had  
16 been open for a number of years. And so it was -- it  
17 was more like informative, you know, while it was  
18 there and most of the information was handled by  
19 other people prior to me going there.  
20 And then the second audit was one for  
21 Texas. And in that audit I submitted the documents  
22 for the scheduling letter, and then I left. And then  
23 after -- that was all I did on that audit.  
24 **Q.** And did you work at Lawrence Berkeley  
25 National Laboratory after you left United Space

15

1 **Q.** What was your title at United Space  
2 Alliance?  
3 **A.** Oh, gosh, it was either manager of  
4 diversity compliance, or diversity compliance  
5 manager, something like that.  
6 **Q.** And what level were you in the organization  
7 at United Space Alliance?  
8 **MS. CONNELL:** Objection; vague.  
9 **THE WITNESS:** I don't understand what you  
10 mean by "level."  
11 **BY MS. BREMER:**  
12 **Q.** How many people -- how large was United  
13 Space Alliance?  
14 **A.** It varied. When I start working there, it  
15 was about 11,000 employees, but when I left, due to  
16 the space shuttle being, you know, phased out, I  
17 think it was less -- it could have been like 5,000;  
18 I'm not totally certain.  
19 **Q.** Was United Space Alliance a federal  
20 contractor?  
21 **A.** Yes.  
22 **Q.** And did you have any duties with respect to  
23 affirmative action at United Space Alliance?  
24 **A.** Yes.  
25 **Q.** Did you have duties with respect to EEOC

14

1 Alliance?  
2 **A.** Yes.  
3 **Q.** And what was your title at Lawrence  
4 Berkeley National Laboratory?  
5 **A.** I can't give you the exact title, because I  
6 don't always remember my titles, but it was -- it was  
7 some kind -- it was some kind of manager position  
8 over diversity and compliance.  
9 **Q.** And how long did you work for Lawrence  
10 Berkeley National Laboratory?  
11 **A.** Seven months.  
12 **Q.** Did you work on any OFCCP audits when you  
13 were at Lawrence Berkeley National Laboratory?  
14 **A.** No.  
15 **Q.** Was your next job at Westar Energy?  
16 **A.** No.  
17 **Q.** What was your next job after Lawrence  
18 Berkeley National Laboratory?  
19 **A.** Oracle.  
20 **Q.** Oracle.  
21 Did you work at Westar Energy?  
22 **A.** Yes.  
23 **Q.** And when was that?  
24 **A.** That was from 2000 to 2005, I believe.  
25 **Q.** And what was your title at Westar Energy?

16

1 A. It was -- well, there were various titles.  
2 It was the director -- I think it started as a  
3 manager. And then it -- then promoted to a director  
4 when I first started there it was -- it was like  
5 managing EEO and employee relations, that type of  
6 thing. And then shortly after I was there, I -- and  
7 that included affirmative action. Shortly after I  
8 was there, they also had me start overseeing training  
9 and organizational development.  
10 Q. So was your job at Westar Energy before you  
11 graduated from Strayer University?  
12 A. Yes.  
13 Q. Was Westar Energy a federal contractor?  
14 A. Yes.  
15 Q. Were you involved in any OFCCP audits at  
16 Westar Energy?  
17 A. Yes.  
18 Q. How many?  
19 A. I don't recall with certainty, but I'd  
20 say -- I'd estimate somewhere from four to five. It  
21 could be different from that, but somewhere in that  
22 range.  
23 Q. And then what year did you start working  
24 for Oracle?  
25 A. In 2011.

17

1 A. I believe it was sometime in 2015.  
2 Q. And what was Vickie Thrasher's title?  
3 A. I don't know her title exactly, but she's  
4 one of the vice presidents in human resources.  
5 Q. Is Vickie Thrasher still your supervisor?  
6 A. Yes.  
7 Q. Where is Vickie Thrasher located?  
8 A. In Washington, D.C.  
9 Q. What line of business are you in?  
10 MS. CONNELL: Objection; vague.  
11 THE WITNESS: I --  
12 BY MS. BREMER:  
13 Q. At Oracle. You have different lines of  
14 business at Oracle?  
15 MS. CONNELL: Objection; vague.  
16 THE WITNESS: I -- I don't know what you  
17 mean, because I'm in a support function. So I'm  
18 really unclear as to what you mean.  
19 BY MS. BREMER:  
20 Q. So your job function is support?  
21 MS. CONNELL: Objection; vague.  
22 THE WITNESS: I'd have to have more  
23 information, support of what?  
24 BY MS. BREMER:  
25 Q. What is -- what is your job function at

19

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.  
12 Q. Who was your supervisor in 2011?  
13 A. Where at?  
14 Q. At Oracle.  
15 A. Liz Snyder.  
16 Q. And what was Liz Snyder's title?  
17 A. I'm not certain exactly what her title was,  
18 but she was one of the vice presidents in human  
19 resources.  
20 Q. Is Liz Snyder still your supervisor?  
21 A. No.  
22 Q. Who was your supervisor after Liz Snyder?  
23 A. Vickie Thrasher.  
24 Q. And when did Vickie Thrasher become your  
25 supervisor?

18

1 Oracle?  
2 MS. CONNELL: Objection; vague.  
3 BY MS. BREMER:  
4 Q. In terms of the organizational structure of  
5 Oracle?  
6 MS. CONNELL: Objection; vague, assumes  
7 facts.  
8 THE WITNESS: Could you give me a little  
9 bit more information as to specifically what you  
10 mean?  
11 BY MS. BREMER:  
12 Q. Oracle has different job functions, right,  
13 the way that it categorizes employees by job  
14 functions, such as product development, finance,  
15 sales? Do you know what I'm talking about?  
16 A. Yes.  
17 Q. Okay. What is your job function?  
18 MS. CONNELL: Objection; vague, assumes  
19 facts.  
20 THE WITNESS: I really -- I don't know.  
21 I've never really looked at it.  
22 BY MS. BREMER:  
23 Q. Who is Vickie Thrasher's supervisor?  
24 A. Joyce Westerdahl.  
25 Q. And Joyce Westerdahl is the head of HR?

20

1 MS. CONNELL: Objection; assumes facts.  
2 THE WITNESS: What do you mean the "head of  
3 HR"?  
4 BY MS. BREMER:  
5 Q. Is she the top person at Oracle for the  
6 human resources department?  
7 MS. CONNELL: Calls for speculation.  
8 THE WITNESS: Could you be a little bit  
9 clearer?  
10 BY MS. BREMER:  
11 Q. What's Joyce Westerdahl's title?  
12 A. She's a -- she's an EVP, but and she's in  
13 human resources, but I don't know what her exact  
14 title is.  
15 Q. So "EVP" is executive vice president?  
16 A. Yeah.  
17 Q. And who does Joyce Westerdahl report to?  
18 A. She reports, to my knowledge, to Safra  
19 Catz.  
20 Q. And Safra Catz is a CEO of Oracle?  
21 A. One of them.  
22 Q. How many reports did you have in 2011?  
23 A. One.  
24 Q. And who is that?  
25 A. Christina Solis.

21

1 A. Those were the only two that I recall in  
2 2013. I'd have to look at all the dates to be  
3 specific and, you know, since that time since we've  
4 added people, since that time, but in 2013, there  
5 were just one contractor that worked for a temporary  
6 agency, and -- and Christina Solis. So officially on  
7 the payroll there was just Christina.  
8 Q. Has anyone else worked in Oracle's  
9 compliance group between 2013 and the present?  
10 A. Yes.  
11 Q. And who is that?  
12 A. Sean Smith.  
13 Q. And what's Sean Smith's role?  
14 A. He is a senior compliance analyst.  
15 Q. And when did Sean Smith start working for  
16 the compliance group?  
17 A. I'd have to look to get the exact dates.  
18 But he started as a contractor in 2015, when he came  
19 onto Oracle's payroll and wasn't a contractor and was  
20 hired by that -- I don't feel comfortable giving you  
21 a date without looking -- looking at it and -- and  
22 researching it.  
23 Q. But he started working with your compliance  
24 group in 2015?  
25 A. Yes.

23

1 Q. And what was Christina Solis's title?  
2 A. Her official title in the system was HR  
3 consultant II, but her working title was compliance  
4 analyst.  
5 Q. What does a compliance analyst do?  
6 A. It's a -- they -- they work on matters --  
7 in my team, they work on matters of affirmative  
8 action. I can't -- however, I want to clarify that.  
9 There may a compliance analyst in another area doing  
10 completely different work, but for purposes of my  
11 work group, it -- it's somebody that works on  
12 affirmative action and compliance.  
13 Q. Has the number of people that you -- sorry,  
14 let me start over.  
15 Has the number of people who report to you  
16 changed since 2011?  
17 A. Yes.  
18 Q. And how has it changed?  
19 A. It's increased.  
20 Q. Okay. Can you tell me in 2013 how many  
21 people reported to you?  
22 A. Christina Solis. And I started adding  
23 people, and then I think in 2013 we added one  
24 contractor at that time named Neil Bourque.  
25 Q. And did anyone else work for you in 2013?

22

1 Q. And is he still working?  
2 A. Yes.  
3 Q. He's still working with the compliance  
4 group?  
5 A. Yes.  
6 Q. Okay.  
7 A. Yes.  
8 Q. Anyone else join the compliance group?  
9 A. Yes.  
10 Q. And who is that?  
11 A. Well, Neil Bourque came on officially on  
12 Oracle's payroll in 2014.  
13 Q. Anyone else?  
14 A. Yes. And there was a person that worked  
15 for us for a short period of time by the name of Bill  
16 Couch.  
17 Q. And what was Bill Couch's role?  
18 A. He was a compliance analyst. Or senior  
19 compliance analyst. And he was a contractor first.  
20 And then came on sometime later, but I would have to  
21 look at the exact dates to tell you when.  
22 Q. Okay. Do you know when about he started  
23 working as a contractor for Oracle?  
24 A. Yeah. It was sometime, I believe, in 2014,  
25 but again, it's been -- I haven't refreshed my memory

24

1 on this, so I could be off. I just want to clarify  
2 that.  
3 Do you want the rest of them?  
4 **Q.** Yes.  
5 **A.** Okay. Do you want -- okay, so we've got  
6 Bill. And then -- then we brought on Lida Daniel.  
7 **Q.** And what was Lida's role?  
8 **A.** She's a senior compliance analyst. And she  
9 replaced Christina Solis. And that was in 2000 -- at  
10 the very end of 2014. And she came directly on  
11 payroll. And then, let's see, we -- we had -- one  
12 person by the name of Kela Moon that worked for us as  
13 a contractor. And I'm not certain of the amount of  
14 time there. I know it was at least a year, but I'd  
15 have to -- to look at records to be exact, and she --  
16 she came on as a compliance analyst. And she was a  
17 contractor, though; she was not on our payroll.  
18 And we had another contractor that just  
19 worked for us for a few weeks by the name of Mike.  
20 And he was a temporary employee.  
21 **Q.** And that was just a couple weeks?  
22 **A.** Yeah, or maybe a month, tops, you know,  
23 right around there. It wasn't very long. And --  
24 and, let's see, I'm trying to make sure I have all of  
25 them. And then we have Carlos Sanchez, and he came

25

1 on as a contractor, I think sometime in 2015. It may  
2 have been the beginning of '16, but I think it was  
3 2015. And he was a contractor for a while, and then  
4 came on our payroll. But I don't know how long he  
5 was a contractor before he came on our payroll.  
6 **Q.** And was Carlos Sanchez also a compliance  
7 analyst?  
8 **A.** Yeah. He was a senior compliance analyst.  
9 And I think, let's see, so, let me -- oh,  
10 and then we have Tobi MacIntyre. And she's a  
11 compliance analyst, but she also does a lot of our --  
12 our local outreach development, and that type of  
13 thing. So she's a little different than the others.  
14 **Q.** And when did Tobi MacIntyre start working  
15 with your group?  
16 **A.** She came on as a contractor, I believe in  
17 2000 -- it could have been '16. You know, I keep  
18 telling you '15 on these, it could have been '16 for  
19 Carlos and Tobi, because they came about the same  
20 time. So I'm going to take back what I said. I  
21 believe they came on in 2016, because you're asking  
22 for my memory, and I just want you to be really clear  
23 that I'm guessing on these.  
24 And -- and so it's -- you know, it's an  
25 educated guess for proximity, but I don't want to

26

1 be -- have my -- mislead you in any way.  
2 So they came -- I think that it was 2016  
3 that they came on, I'm pretty sure. And then -- and  
4 then -- and that would be the same for the  
5 contractor, Mike. And so kind of move up that group  
6 for a minute. But in '15 it was Bill Couch, Lida,  
7 and then we also have a person by the name of Charles  
8 Nyakundi. And he -- he came on as a contractor for  
9 another team at the end of 2014. And then he started  
10 working for my team in -- as a contractor in March of  
11 2015. And I do not recall when he came on our  
12 payroll.  
13 So -- and -- and so Charles -- Charles was  
14 actually -- so there. So just like move everything  
15 else up a year. So Lida was the bottom -- '14 she  
16 came on; Charles in -- in '15, for my team. And then  
17 Neil was '13. And then Sean -- Sean came on, I  
18 believe that was the -- in 2015. And Kela, I think  
19 it was 2015. But Carlos and Tobi, I believe it was  
20 2016.  
21 But please, you know, allow me some -- I  
22 could be off slightly on that. So I don't want to  
23 be, you know, held to exactness. I'd really have to  
24 look it up to give you a better answer.  
25 **Q.** That's your best recollection of when --

27

1 **A.** My best recollection, but it could -- it  
2 could be erred.  
3 **THE REPORTER:** Please wait for her to  
4 finish.  
5 **BY MS. BREMER:**  
6 **Q.** Do your responsibilities include overseeing  
7 OFCCP audits at Oracle?  
8 **A.** Yes.  
9 **Q.** How long have you been overseeing OFCCP  
10 audits for Oracle?  
11 **A.** Since the beginning of 2011, which was my  
12 hire date; however, we -- we didn't have an audit for  
13 the first few years I was there or the first year and  
14 a half.  
15 **Q.** How many audits have you overseen over the  
16 course of your career at Oracle?  
17 **A.** Approximately, I'd have to look at the  
18 list, but approximately so far that have been  
19 initiated, somewhere around 45.  
20 **Q.** Has Oracle been a federal contractor for  
21 the entire time that you've worked for Oracle?  
22 **A.** Yes.  
23 **Q.** What are your responsibilities in  
24 overseeing OFCCP audits?  
25 **A.** With regard to the audit only, my team and

28

1 I put together the response to the initial scheduling  
 2 letter. We coordinate the collection of information  
 3 that's requested in the scheduling letter.  
 4 We -- you know, it really depends. I'd  
 5 have to -- you know, that's from the initial onset.  
 6 In order to be able to answer your questions  
 7 factually, I'd have to know -- I'd have to have you  
 8 ask me questions with regard to what phase of the  
 9 audit. Because each audit has its own, you know,  
 10 lifespan and different things that occur during the  
 11 audit, and then we'd always supply information,  
 12 generally, for requests for information.  
 13 **Q.** Is your role in overseeing all aspects of  
 14 each OFCCP audit for Oracle?  
 15 **MS. CONNELL:** Objection; vague.  
 16 **THE WITNESS:** Yeah. What do you mean by  
 17 "all"?  
 18 **BY MS. BREMER:**  
 19 **Q.** You're the -- ultimately, you're the person  
 20 in charge of overseeing the audits -- the OFCCP  
 21 audits for Oracle. Right?  
 22 **MS. CONNELL:** Objection; vague.  
 23 **THE WITNESS:** It's vague. I mean -- and I  
 24 want to -- want to -- Laura, I really want to bring  
 25 something up. I coordinate the collection of data in

29

1 different people in a recruiting and diversity  
 2 inclusion, and some of our different employee  
 3 resource groups that pull information for -- for the  
 4 audits.  
 5 There could -- the legal team there,  
 6 depending on the question could be, you know,  
 7 providing information for audits. And there's -- you  
 8 know, and I may have left some off, but that's --  
 9 that's kind of a general idea of reaching out to some  
 10 of these different groups. There could be -- some of  
 11 these other teams that where the OFCCP may have  
 12 questions where they want to interview somebody, and  
 13 in those instances, you know, it's just coordinate --  
 14 I just coordinate the efforts, and so those teams  
 15 could be involved.  
 16 There could be any -- any wide range of  
 17 teams involved in an audit. So I think that in order  
 18 to answer the question and give you the information  
 19 that you're looking for, I would need an exact -- you  
 20 know, need you to kind of drill down a little more.  
 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.

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1 response to these audits. There -- there are other  
 2 people that are involved in these audits, so I  
 3 coordinate the production of it. And so that's  
 4 really more of a role than overseeing. I think it's  
 5 a clear role in my role as far as the OFCCP audits.  
 6 **BY MS. BREMER:**  
 7 **Q.** So your -- so you're in charge -- you're in  
 8 charge of the team that's pulling together the  
 9 information for the audits. Correct?  
 10 **MS. CONNELL:** Objection; misstates her  
 11 testimony.  
 12 **THE WITNESS:** Which team? There are many  
 13 teams. And that's -- that's what I'm -- I don't want  
 14 to answer you erroneously. So I'd have to know what  
 15 team you're talking about, because there's so many  
 16 teams that coordinate information; I'm not in charge  
 17 of all of them. I coordinate.  
 18 **BY MS. BREMER:**  
 19 **Q.** And what other teams are -- are involved in  
 20 providing information for OFCCP audits?  
 21 **A.** What do you mean by "other teams"? Like,  
 22 in addition to which team?  
 23 **Q.** In addition to the compliance team.  
 24 **A.** Okay. Well, there is OAL that developed  
 25 the program to pull reports for data. There is

30

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.  
 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:**

32

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

33

1 BY MS. BREMER:  
2 Q. As the person responsible for providing  
3 data to OFCCP during OFCCP audits, what have you done  
4 to familiarize yourself about the data that Oracle  
5 has available?  
6 MS. CONNELL: Objection; assumes facts and  
7 vague.  
8 THE WITNESS: Yeah, I don't understand the  
9 question.  
10 BY MS. BREMER:  
11 Q. You've testified that you're responsible  
12 for providing information requested by OFCCP.  
13 Correct?  
14 A. Yes.  
15 Q. Okay. In your role as the person  
16 responsible for providing information requested by  
17 OFCCP, what have you done to familiarize yourself  
18 with the data that Oracle has available?  
19 MS. CONNELL: Objection; vague and assumes  
20 facts.  
21 THE WITNESS: Which data that Oracle has  
22 available? I don't know which data you're referring  
23 to.  
24 BY MS. BREMER:  
25 Q. Human resources data --

35

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.  
6 Q. And OFCCP requests data from Oracle when it  
7 conducts audits?  
8 A. Yes.  
9 Q. And you know that Oracle is a database  
10 company. Correct?  
11 A. Yes.  
12 MS. CONNELL: Objection; vague.  
13 BY MS. BREMER:  
14 Q. It sells software to companies to organize  
15 their human resources data?  
16 A. Yes.  
17 Q. And the data -- the software that Oracle  
18 sells to companies to organize its data includes --  
19 includes software to organize compensation data.  
20 Correct?  
21 MS. CONNELL: Objection; vague, assumes  
22 facts, calls for speculation.  
23 THE WITNESS: I -- I'm not familiar with  
24 what products organize compensation data; that's an  
25 area that I don't -- that's not my area.

34

1 MS. CONNELL: Objection; vague --  
2 BY MS. BREMER:  
3 Q. -- for example.  
4 MS. CONNELL: -- and assumes facts.  
5 THE WITNESS: That's a little bit too broad  
6 for me. It depends what -- what human resources  
7 data.  
8 BY MS. BREMER:  
9 Q. I'm talking about the data that is  
10 requested by OFCCP. What have you done to  
11 familiarize yourself with the data that Oracle has  
12 available for compensation, for example?  
13 MS. CONNELL: Objection; vague. It's also  
14 vague as to time.  
15 THE WITNESS: And what type of compensation  
16 data?  
17 BY MS. BREMER:  
18 Q. Have you done anything to familiarize  
19 yourself with the data that Oracle has available in  
20 its databases?  
21 MS. CONNELL: Objection; vague,  
22 argumentative, assumes facts.  
23 THE WITNESS: Which data in the databases?  
24 BY MS. BREMER:  
25 Q. Human resources data.

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1 MS. CONNELL: Same objections.  
2 THE WITNESS: Yeah, in relation to what?  
3 I don't want to -- you know, I don't want to  
4 misanswer you, so I really don't -- there's specific  
5 different types of data, so if you could be more  
6 specific of which group of data.  
7 BY MS. BREMER:  
8 Q. Okay. Let's talk about, for example, data  
9 that Oracle keeps regarding its employees. That  
10 would be the type of human resources data.  
11 MS. CONNELL: Objection; vague.  
12 THE WITNESS: Okay. Okay. Human  
13 resources --  
14 MS. CONNELL: Assumes facts.  
15 THE WITNESS: Yeah, human resources data in  
16 relation to what? Maybe if you could tell me in  
17 relation to what? There's different types of human  
18 resources data, so if you can be specific, then I can  
19 tell you.  
20 BY MS. BREMER:  
21 Q. How about in relation to compensation?  
22 A. In relation to compensation? The only data  
23 that I have -- that I've taken a look at in relation  
24 to compensation is the data that comes out of the OAL  
25 report, and is provided -- and I wouldn't say only --

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1 Q. Is that Oracle Application Labs?  
2 MS. CONNELL: Objection; calls for  
3 speculation --  
4 THE WITNESS: I have no --  
5 MS. CONNELL: -- asked and answered.  
6 THE WITNESS: I have no idea.  
7 BY MS. BREMER:  
8 Q. Does -- did the OAL group develop a  
9 specific program that you use for compliance  
10 reporting to OFCCP?  
11 MS. CONNELL: Objection; vague and calls  
12 for speculation.  
13 THE WITNESS: Those reports were in place  
14 when I started working for Oracle. So any  
15 development of those reports happened before I  
16 started working there.  
17 BY MS. BREMER:  
18 Q. And those are standard reports?  
19 A. Yes.  
20 MS. CONNELL: Objection; vague.  
21 THE WITNESS: What do you mean by  
22 "standard"?  
23 BY MS. BREMER:  
24 Q. That means they have certain information --  
25 A. Yes.

39

1 but the data that I'm familiar with that I think that  
2 might answer your question -- I want to clarify, not  
3 only, because there's many other forms of data that  
4 I'm familiar with -- that comes out of that is when  
5 you were -- you do a government request for  
6 information, and -- and we provide that data to you.  
7 And anything other than that, any other  
8 data with regard to compensation would be data  
9 provided under attorney-client work product to our --  
10 our lawyers.  
11 Q. And what is the OAL report?  
12 A. That's a department.  
13 Q. What is "OAL"?  
14 A. I don't know what it stands for. It's one  
15 of those acronyms that I think they told me once, but  
16 I don't -- I don't understand what it stands for.  
17 But it's a department that -- of IT professionals  
18 that, from my perspective, that -- that work to  
19 develop -- do little programs or supply some kind of  
20 information to us. That's the extent of my -- my  
21 knowledge of everything they do.  
22 I know that they -- they develop the  
23 reports that I need in order to do a proper  
24 reporting. That's -- I mean, I don't know much other  
25 than that.

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1 Q. -- the same report gets generated over and  
2 over, but with different types of data?  
3 MS. CONNELL: Objection; vague.  
4 THE WITNESS: With different time frames,  
5 yeah. But -- but when you say "different types of  
6 data," what do you mean by "different types of data,"  
7 because I don't want to --  
8 BY MS. BREMER:  
9 Q. Okay.  
10 A. -- mislead you on that.  
11 Q. The same type -- when I say the same type  
12 of report --  
13 A. Uh-huh.  
14 Q. -- or a routine or standard report, it's --  
15 it would have the same columns of information --  
16 A. Uh-huh.  
17 Q. -- but the data itself would be different,  
18 depending on the location at issue or the time frame,  
19 et cetera?  
20 MS. CONNELL: Objection; vague.  
21 THE WITNESS: Okay. Could you be a little  
22 clearer?  
23 BY MS. BREMER:  
24 Q. When -- when your group seeks reports from  
25 OAL, do you tell them exact -- what data fields

40

1 you're seeking or do you just tell them I need a  
2 report for a desk audit, for example?  
3 MS. CONNELL: Objection; compound.  
4 THE WITNESS: Okay. Do you want to give me  
5 one question? The -- one question at a time and then  
6 we'll --  
7 MS. BREMER: Can you read the first part of  
8 that question, please.  
9 (Record read.)  
10 THE WITNESS: The report has already been  
11 prepared to deliver certain data fields. My team  
12 runs the report; they developed it.  
13 BY MS. BREMER:  
14 Q. Okay. And if OFCCP requests data that's  
15 not in the standard report from OAL, how do you get  
16 the data that OFCCP's requesting?  
17 MS. CONNELL: Objection; incomplete  
18 hypothetical.  
19 THE WITNESS: Okay. Could you give me a  
20 specific instance of maybe some data that I got from  
21 OFCCP? Be a little clearer on which data.  
22 BY MS. BREMER:  
23 Q. Do you have a general practice, in terms of  
24 if OFCCP makes a request and it's not for data that's  
25 not in the standard OAL report, how do you go about

41

1 know, different information can be pulled. I don't  
2 remember any of the names off the top of my head.  
3 Q. Do you have a specific contact at AOL -- I  
4 mean --  
5 A. OAL. No problem.  
6 Q. -- a specific contact at OAL?  
7 A. For what time frame, because it's been  
8 various people.  
9 Q. How about in 2004 -- '14?  
10 A. '14, at that time there was a person by the  
11 name of Chung Ko [phonetic] that oversaw or provided  
12 some of the data, and had some of their folks provide  
13 the data for us.  
14 Q. And is there always -- from 2013 to the  
15 present, is there -- has there always been one person  
16 in particular that's from OAL that's the contact with  
17 the compliance group?  
18 A. Those people have changed over the years.  
19 Q. But it's -- it's one -- one person, even  
20 though that person has changed?  
21 A. It could vary depending on who the -- the  
22 director is of that area. So sometimes it's one  
23 person and sometimes it's two people, you know,  
24 sometimes it's three, depending on who is in charge.  
25 Q. And what was Chung Ko's title?

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1 getting that data for OFCCP?  
2 A. Yes.  
3 Q. Okay. What do you do?  
4 A. I complete -- well, there's two different  
5 things that we've done, because our systems have  
6 changed, and -- during -- during this audit, so I  
7 want to add -- at the end of this, I also want to  
8 give you another report that we have run. But -- but  
9 what we do is if OFCCP requests information and it  
10 can it be pulled, we contact -- we do a request -- it  
11 used to be called a bug, and now it's called an  
12 O-serve -- and we fill out a request for them to  
13 complete work and pull the data for us.  
14 Q. And when you say you fill out a request for  
15 them to pull data for you, who are you talking about?  
16 A. OAL.  
17 Q. And how do you determine if the data can be  
18 pulled?  
19 A. By being told what information they can or  
20 cannot pull.  
21 Q. And who -- who are you talking to that is  
22 telling you whether or not the data can or cannot be  
23 pulled?  
24 A. There have been different people throughout  
25 my -- my time at Oracle that tells me whether, you

42

1 A. I don't know.  
2 Q. Do you know what level he was?  
3 A. No.  
4 Q. And you said that there was another report  
5 also?  
6 A. Yes.  
7 Q. And what is that?  
8 A. In 2014, there was our applicant tracking.  
9 We used to pull it from the O -- the direct OAL  
10 report. And in 2014, we switched to Taleo for our  
11 applicant tracking system. And with that switch,  
12 there -- and sometime during that time frame, a  
13 department was developed, kind of an HRIS department  
14 to serve as kind of a coordinator of requests for  
15 information.  
16 And after we switched to Taleo, we started  
17 pulling our applicant pulls from -- from this  
18 HRIS team. They set up a -- they trained us -- at  
19 first they pulled all the data themselves, and -- and  
20 now it's to the point where they're -- that we --  
21 that we pull the report according to their guidelines  
22 or a person on my team does.  
23 Q. So as I understand the process, as the  
24 person responsible for providing information  
25 requested for OFCCP audits, you -- you had a contact

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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

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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.  
23 **Q.** Did you think it was strange that a  
24 database company, such as Oracle, could only obtain  
25 personnel information by taking screenshots?

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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**  
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.**  
25 **Q.** As the diversity compliance -- as the

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1 **MS. CONNELL:** Objection; misstates her  
2 testimony and argumentative.  
3 **THE WITNESS:** I don't know what you mean by  
4 "strange." I don't want to do a value judgment on,  
5 you know, something that -- make a value judgment on  
6 what's -- what's strange and what's not strange,  
7 because I don't believe that would -- that would  
8 provide you the information you need. But so I  
9 really don't -- I really can't answer that question.  
10 **BY MS. BREMER:**  
11 **Q.** As a person who is in charge of providing  
12 the information that was requested --  
13 **A.** Sure.  
14 **Q.** During OFCCP audits, did you think it was  
15 important to be truthful in your communications with  
16 OFCCP?  
17 **MS. CONNELL:** Objection; calls for an  
18 opinion from a fact witness.  
19 **THE WITNESS:** What do you mean by  
20 "truthful"?  
21 **BY MS. BREMER:**  
22 **Q.** Do you know what "truth" means?  
23 **A.** Yes.  
24 **Q.** Okay. Did you think it was important that  
25 you be truthful when you --

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1 **A.** Yes.  
2 **Q.** -- responded to OFCCP's request?  
3 **A.** Yes.  
4 MS. CONNELL: Objection; argumentative.  
5 BY MS. BREMER:  
6 **Q.** Do you think it was important as the person  
7 in charge of overseeing OFCCP audits to be accurate  
8 in your responses to OFCCP?  
9 MS. CONNELL: Objection; calls for an  
10 opinion and argumentative.  
11 THE WITNESS: I always try to be accurate.  
12 BY MS. BREMER:  
13 **Q.** Okay. So if you -- did you ever question  
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

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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  
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 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.

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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

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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.  
11 **Q.** Okay. And you now -- do you now know that  
12 OF -- that Oracle has the capability to provide data  
13 from personnel files in electronic format?  
14 MS. CONNELL: Objection; assumes facts,  
15 lacks foundation.  
16 THE WITNESS: No, I don't know anything  
17 about that.  
18 MS. CONNELL: Laura, we've been going about  
19 an hour; can we please take a break?  
20 MS. BREMER: Sure.  
21 THE VIDEOGRAPHER: The time is 10:03 a.m.  
22 We are off the record.  
23 (Recessed from 10:03 a.m. until 10:12 a.m.)  
24 THE VIDEOGRAPHER: Time is 10:12 a.m. We  
25 are on the record.

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1 BY MS. BREMER:  
2 **Q.** Shauna, are you also responsible for  
3 overseeing Oracle's OFCCP compliance efforts?  
4 **MS. CONNELL:** Objection; vague.  
5 **THE WITNESS:** Which efforts?  
6 BY MS. BREMER:  
7 **Q.** Okay. Let's turn back to Exhibit 17.  
8 **A.** Okay.  
9 **Q.** Again, paragraph 2, it says, "As senior  
10 director of diversity compliance, my responsibilities  
11 include overseeing Oracle's Office of Federal  
12 Contract Compliance Programs" --  
13 **A.** Okay.  
14 **Q.** -- "compliance efforts, as well as  
15 overseeing" OFCCP -- "Oracle's OFCCP audits"; is that  
16 correct?  
17 **A.** Yes.  
18 **Q.** Are you responsible for overseeing all of  
19 Oracle's OFCCP compliance efforts?  
20 **MS. CONNELL:** Objection; vague.  
21 **THE WITNESS:** Okay. Could you describe  
22 which compliance efforts?  
23 BY MS. BREMER:  
24 **Q.** Is there anyone else at Oracle who is  
25 responsible for complying with OFCCP audits and

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1 the OFCCP compliance efforts, but you report to  
2 Vickie Thrasher?  
3 **A.** Correct.  
4 **Q.** Are you responsible for record retention  
5 required by OFCCP regulations?  
6 **MS. CONNELL:** Objection; vague.  
7 **THE WITNESS:** What type of record  
8 retention?  
9 BY MS. BREMER:  
10 **Q.** All the -- all the record retention that's  
11 required by OFCCP regulations. Would that be your  
12 responsibility?  
13 **A.** That's pretty broad. I would have to -- I  
14 mean, there's -- there's different people at Oracle  
15 that oversee different records that could be  
16 requested by OFCCP. And so I would have to have more  
17 specifics on which records you're talking about, and  
18 then I could tell you if I'm responsible for  
19 overseeing the retention of those records.  
20 **Q.** But are you ultimately responsible for  
21 ensuring that Oracle does retain the records that the  
22 OFCCP regulations require be retained?  
23 **MS. CONNELL:** Objection; assumes facts,  
24 vague.  
25 **THE WITNESS:** Could you tell me the

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1 regulations or is that your group?  
2 **A.** I'm the immediate supervisor of that group,  
3 but I have a chain that I report up to.  
4 **Q.** And that's Liz -- it was Liz Snyder; now  
5 it's Vickie Thrasher?  
6 **A.** Correct.  
7 **Q.** And what's -- what's Vickie Thrasher's  
8 role? Does she oversee -- she's in HR. Does Vickie  
9 Thrasher oversee areas other than OFCCP compliance?  
10 **MS. CONNELL:** Objection; calls for  
11 speculation.  
12 **THE WITNESS:** Could you be specific what  
13 types of areas or --  
14 BY MS. BREMER:  
15 **Q.** What are -- what are the other areas  
16 that -- that Vickie Thrasher oversees?  
17 **MS. CONNELL:** Calls for speculation.  
18 **THE WITNESS:** That's changed since I  
19 started reporting to her. So --  
20 BY MS. BREMER:  
21 **Q.** Okay. And what -- what about when you  
22 first started reporting to her?  
23 **A.** She oversaw the -- the HR business partners  
24 in the Americas.  
25 **Q.** Okay. So as I understand it, you oversee

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1 records -- which -- which specific records you're  
2 talking about? Because OFCCP requests information  
3 for all kinds of different records, and -- and so  
4 which of those records are you talking about?  
5 Because I'm -- I'm -- if you could -- yeah, if you  
6 could be a little bit more specific.  
7 BY MS. BREMER:  
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  
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:

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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.  
11 BY MS. BREMER:  
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.

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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  
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

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1 MS. BREMER: This is a copy of the  
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."

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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

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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  
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

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1 Q. And does the affirmative action that Oracle  
2 agrees to take in its contracts with the government  
3 include affirmative action in compensation?  
4 MS. CONNELL: Objection; calls for a legal  
5 conclusion, vague.  
6 THE WITNESS: Could you be a little  
7 clearer, please?  
8 BY MS. BREMER:  
9 Q. As the person in charge of OFCCP  
10 compliance, do you understand that Oracle's  
11 affirmative action obligations include obligations  
12 regarding compensation?  
13 MS. CONNELL: Once again, misstates her  
14 testimony as to what her role is with regard to OFCCP  
15 compliance, and calls for a legal conclusion, and  
16 vague. Also asked and answered.  
17 THE WITNESS: I -- she said something.  
18 BY MS. BREMER:  
19 Q. Go ahead and answer.  
20 A. Okay. Could you restate the question?  
21 Q. I'll just say as -- as the person -- as  
22 Oracle's senior director of diversity and compliance  
23 in charge of overseeing Oracle's OFCCP compliance  
24 efforts, do you understand that Oracle's affirmative  
25 action obligations include affirmative action

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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.  
25 BY MS. BREMER:

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1 regarding compensation?  
2 MS. CONNELL: Same objections. Calls for  
3 speculation, calls for a legal conclusion, and  
4 argumentative.  
5 THE WITNESS: I --  
6 MS. CONNELL: It's also vague.  
7 THE WITNESS: I understand that we report  
8 out as far as compensation to the government, and --  
9 and that we're expected to provide information to the  
10 government, and -- and that type of thing, but if you  
11 could be a little bit more specific on what part of  
12 compensation you're talking about.  
13 BY MS. BREMER:  
14 Q. Do you understand that as part of Oracle's  
15 obligations to the federal government, it's agreed to  
16 affirmative action that includes affirmative action  
17 regarding rates of pay or other forms of  
18 compensation?  
19 MS. CONNELL: Objection; calls for a legal  
20 conclusion, asked and answered; it's also vague.  
21 THE WITNESS: I understand that we report  
22 information into the government.  
23 BY MS. BREMER:  
24 Q. So as Oracle's senior director of diversity  
25 compliance in charge of overseeing Oracle's OFCCP

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1 compliance efforts, you don't understand that  
2 Oracle's obligations include taking affirmative  
3 action to ensure that employees are treated during  
4 employment without regard to their race, color,  
5 religion, sex, sexual orientation, gender identity,  
6 or national origin in their rates of pay or other  
7 forms of compensation?  
8 MS. CONNELL: Objection; calls for a legal  
9 conclusion, asked and answered, argumentative. And  
10 also the regulation speaks for itself. You're just  
11 reading the regulation into the record. It speaks  
12 for itself.  
13 BY MS. BREMER:  
14 Q. I'm asking for your understanding.  
15 Please restate the question.  
16 (Record read.)  
17 MS. CONNELL: Same objections, also  
18 misstates her testimony.  
19 THE WITNESS: Yeah, I didn't say that I  
20 didn't understand. I asked you for more  
21 clarification.  
22 BY MS. BREMER:  
23 Q. Okay. Do you -- do you understand that  
24 that is one of Oracle's obligations with the federal  
25 government?

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1 A. I understand that it's included in the  
2 regulations, yes.  
3 Q. As an Oracle senior director in charge of  
4 OFCCP compliance, are you familiar with Executive  
5 Order 11246?  
6 MS. CONNELL: Objection; misstates her  
7 testimony regarding her responsibilities and calls  
8 for a legal conclusion.  
9 THE WITNESS: What about Executive Order  
10 11246? Could you be a little clearer?  
11 BY MS. BREMER:  
12 Q. I'm asking if you're familiar with it.  
13 A. Am I familiar with that --  
14 Q. Yes.  
15 A. -- that executive order?  
16 Q. Yes.  
17 A. I know about it, yes.  
18 Q. And you're also familiar with the  
19 regulations, OFCCP regulations that implement that  
20 order?  
21 A. What -- what specific regulations? I --  
22 Q. 41 CFR part 60.  
23 A. Could you put that in front of me? Do you  
24 have a copy of it, so I can tell you, you know,  
25 specifically, because there's a lot of language in

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1 there, so --  
2 Q. Have you reviewed the regulations  
3 implementing the executive order?  
4 A. Yes, at different times.  
5 Q. Have you conducted training regarding  
6 compliance at Oracle?  
7 A. Yes.  
8 Q. Have you conducted any training regarding  
9 affirmative action?  
10 A. Yes.  
11 Q. And how often?  
12 A. It's given -- it's an online program, and  
13 it's given to managers every two years.  
14 Q. All managers?  
15 A. All managers that have an employee in the  
16 United States or U.S. territory, like Puerto Rico.  
17 Q. And what are the topics of that online  
18 training program?  
19 A. It -- it talks about affirmative action,  
20 and it also talks about the revisions that were made  
21 in 2014 with regard to 503 and protected veterans, so  
22 it includes that in it. And -- and that type of  
23 thing.  
24 Q. What's the title of the training?  
25 A. I believe it has -- it's affirmative action

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1 training. I --  
2 MS. BREMER: Counsel, do you know if that's  
3 been produced?  
4 MS. CONNELL: I don't.  
5 MS. BREMER: Okay. We would request that  
6 it be produced.  
7 Q. Have you conducted any other training  
8 regarding compliance at Oracle?  
9 A. My team hasn't.  
10 Q. Do you know if any other team has conducted  
11 training regarding OFCCP compliance --  
12 MS. CONNELL: Objection --  
13 BY MS. BREMER:  
14 Q. -- at Oracle?  
15 MS. CONNELL: -- calls for speculation.  
16 THE WITNESS: I -- I -- I don't know.  
17 BY MS. BREMER:  
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"?

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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.  
8 BY MS. BREMER:  
9 Q. And --  
10 A. But the percentage, I mean, we've -- the  
11 percentage -- I'd need a little bit more information  
12 as far as what do you mean by that?  
13 Q. So generally Oracle -- so, for example,  
14 Oracle conducted or developed an affirmative action  
15 program for its headquarters. Correct?  
16 A. Correct.  
17 Q. And that's a specific location. Right?  
18 A. Right.  
19 Q. And that was instead of developing an  
20 affirmative action program by a supervisor?  
21 MS. CONNELL: Objection; assumes facts,  
22 lacks foundation.  
23 BY MS. BREMER:  
24 Q. Let me ask you this, employees supervised  
25 by managers located at Oracle's headquarters are not

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1 THE REPORTER: 19.  
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.  
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.

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1 included in the affirmative action program if  
2 employees -- if those employees work at a different  
3 location?  
4 A. Correct.  
5 Q. Does Oracle prepare an affirmative action  
6 program that includes every U.S. location every year?  
7 A. Yes.  
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.  
18 Q. You learned in September of 2014 that  
19 Oracle's headquarters had been scheduled for a  
20 compliance audit by OFCCP. Correct?  
21 A. Correct. I believe that was the date. I'm  
22 not totally certain what the date was, but yes,  
23 around that time.  
24 MS. BREMER: I'm going to mark as Exhibit  
25 Number 18 --

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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.  
11 MS. BREMER: Okay. And then let's mark as  
12 Exhibit Number 20, an e-mail; it's Bates numbered  
13 ORACLE\_HQCA 593.  
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.

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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.  
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?

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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

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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?  
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

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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  
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?

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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,  
24 state, and local agencies." Correct?  
25 **MS. CONNELL:** Objection; the document

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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.  
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

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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.

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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.  
22 **Q.** Okay.  
23 **A.** I know it's like one of those awkward  
24 moments, right, so -- sorry.  
25 **Q.** What do you do to assist managers with

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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  
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.  
12 **Q.** And who is the senior director in charge of  
13 the EEO?  
14 **A.** Timmy Baxter.  
15 **Q.** Has Timmy Baxter been in charge of EEO at  
16 Oracle since 2013?  
17 **MS. CONNELL:** Objection; misstates her  
18 testimony.  
19 **THE WITNESS:** So she's in charge of the  
20 EEO investigations, and she has been -- no, she has  
21 not been the only person.  
22 **BY MS. BREMER:**  
23 **Q.** Who else has been in charge of  
24 EEO investigations since 2013?  
25 **A.** Michael Leftwich.

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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  
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

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1 **Q.** Anyone else?  
2 **A.** I -- I don't know, I don't have knowledge  
3 beyond that.  
4 **Q.** Those are the two that you recall now?  
5 **A.** That I recall. Those are the ones that I  
6 recall.  
7 **Q.** Okay. If you recall anyone else, you can  
8 add to your testimony.  
9 **A.** Okay.  
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?

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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

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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.  
4 BY MS. BREMER:  
5 Q. And in terms of the organizational  
6 structure, is Tracy Wade at the same level as you?  
7 A. Not -- not yet. She's the director. So  
8 she is where I was, you know, at that time. She's a  
9 new director, so --  
10 Q. Did your responsibilities change when you  
11 went from being a director to a senior director?  
12 A. No. There was -- it wasn't a job upgrade,  
13 because of the expanding responsibilities due to, you  
14 know, the expanding role of -- of -- and the  
15 regulations of OFCCP.  
16 Q. What do you do to ensure regulatory and  
17 policy compliance?  
18 A. What kind of regulatory and policy  
19 compliance?  
20 Q. Looking at the implementation guidelines  
21 for the Affirmative Action Plan, that's what I'm  
22 referring to, the -- where it says one of the  
23 guidelines is ensuring regulatory and policy  
24 compliance.  
25 A. Well, if a new regulation comes about,

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1 BY MS. BREMER:  
2 Q. Shauna, earlier we talked about an online  
3 training that was for affirmative action --  
4 A. Yes.  
5 Q. Do you remember that?  
6 A. Yes.  
7 Q. Was that online training for sexual  
8 harassment or for something -- something else? Is  
9 that a two-year sexual harassment training or --  
10 A. Are you talking about the affirmative  
11 action training or --  
12 Q. Yes. Yes.  
13 A. The affirmative action training is separate  
14 from that.  
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 --

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1 we -- we -- we put together teams of people to work  
2 on it, because Oracle's pretty big. And -- and so  
3 there are different people that work in different  
4 areas. And we -- we will -- will go ahead and  
5 develop a team and start making sure that whatever  
6 change the government has put in place is being  
7 implemented.  
8 MS. BREMER: Okay. Let's take a break now  
9 to switch the tape.  
10 THE WITNESS: Okay. And would it be all  
11 right with you if I also took a personal break right  
12 now?  
13 MS. BREMER: Sure.  
14 THE WITNESS: All right. Thank you.  
15 THE VIDEOGRAPHER: This -- this is the end  
16 of video one of the May 8th, 2019 deposition of  
17 Shauna --  
18 MS. BREMER: Holman-Harries.  
19 THE VIDEOGRAPHER: -- Holman-Harries. The  
20 correct date is 2019, not 2020, as shown on the video  
21 screen. We're off the record at 11:03 a.m.  
22 (Recessed from 11:03 a.m. until 11:16 a.m.)  
23 THE VIDEOGRAPHER: This is the beginning of  
24 video number two. The time is 11:16 a.m. We're on  
25 the record.

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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

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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  
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.  
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

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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.  
14 **Q.** And what involvement do you have in working  
15 with the HR representatives and business partners to  
16 ensure that they are informed about their equal  
17 opportunity employment, or I'm sorry, their equal  
18 employment opportunities and -- and that they are  
19 ensuring diversity?  
20 **MS. CONNELL:** Objection; vague and assumes  
21 facts.  
22 **THE WITNESS:** Yeah, I -- I didn't say that  
23 they ensured diversity. I said that they reviewed  
24 all transactions for fairness and equity. But as  
25 being part of it, but I can't for certain say -- I

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1 want to be really clear, I can't for certain say, you  
2 know, everything that's done that way, but -- but --  
3 **BY MS. BREMER:**  
4 **Q.** And what -- what -- what -- what do you do  
5 with the HR representatives and business partners to  
6 ensure that decisions are made with fairness and  
7 equity?  
8 **A.** I can't -- I don't oversee that group, as I  
9 said before.  
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.  
24 **Q.** How often does that happen?  
25 **A.** It -- it probably -- it's really hard to

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1 say. I don't want to give you an exact estimate. I  
2 can -- I can say the frequency is usually -- it's  
3 more frequent right after we send out the goals.  
4 But -- but as far as frequency, I -- I  
5 don't really have any basis to give you an exact  
6 answer of -- of, you know, when that's happened or  
7 whatnot, you know, because I've been there for a  
8 little over seven years, so --  
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 disfavored, right, and -- but the  
24 applicant pool for that disfavored group, and it's not  
25 statistically based at all, it was like three or more

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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  
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 --

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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?  
23 **A.** Yes.  
24 **Q.** And that started in 2017?  
25 **A.** Yes.

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1 **Q.** And what work flows does the compliance  
2 group now review?  
3 **A.** The ones I've just described to you.  
4 **Q.** Promotions?  
5 **A.** Promotions and -- and hires. Terminations,  
6 if anything looks, you know, off or -- or there's  
7 anything that would indicate that we would need to  
8 look at, we also will go in and look in the  
9 electronic HR file and review the termination and the  
10 notes for the termination.  
11 And that's the second-level review. This  
12 is after everything's been entered by the HR business  
13 partner.  
14 **Q.** And so the HR --  
15 **A.** Or it could be a representative, too. I  
16 keep reverting to that, but I want to correct the  
17 record in stating that the HR -- the representative  
18 from the HR department.  
19 **Q.** Okay. So an HR representative has always  
20 reviewed the work flows for promotions, hires,  
21 terminations, since 2013?  
22 **A.** I can't say always. I think that's too  
23 absolute, but to my knowledge, that is one of their  
24 job functions.  
25 **Q.** Okay. And what about compensation, do

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1 you -- do the HR business partners review  
2 compensation offers?  
3 **MS. CONNELL:** Objection; calls for  
4 speculation.  
5 **THE WITNESS:** I'm not fully aware of what  
6 they do with regard to compensation.  
7 **BY MS. BREMER:**  
8 **Q.** Okay. Is it under your understanding that  
9 there is a first-level review by the HR department of  
10 compensation just like the other work flows?  
11 **A.** I -- I have no understanding on that.  
12 **Q.** Are -- since 2017, does the second-level  
13 review conducted by your compliance group include  
14 review of compensation decisions?  
15 **A.** No.  
16 **Q.** And that doesn't include any compensation  
17 decisions in terms of offers, initial compensation  
18 offers, or salary increases or bonuses or equity?  
19 **A.** We have a compensation department that  
20 reviews all of that, and it's a very inclusive  
21 process. And it starts from the moment that -- well,  
22 they don't really review; I think I misspoke there.  
23 But we have a very comprehensive compensation system  
24 in which managers are heavily involved. Oracle's a  
25 very entrepreneurial environment, and with that a lot

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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  
 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

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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

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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  
 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

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1 did not do any monitoring of equal employment  
 2 opportunity activities with respect to compensation  
 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?  
 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 --

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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  
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?

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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 disfavored 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 disfavored  
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.  
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.

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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  
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

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1 and you're looking at the demographic data, are you  
2 looking at any other factors other than that?  
3 **MS. CONNELL:** Objection; misstates her  
4 testimony and vague.  
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 disfavored group that you're looking at as being  
9 disfavored, 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 disfavored 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  
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.  
25 **Q.** Okay. Okay. If you look at the

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1 Affirmative Action Plan, page 8.  
2 **A.** Uh-huh.  
3 **Q.** This page is "Development and Execution"  
4 of --  
5 **A.** Uh-huh.  
6 **Q.** -- "Action Programs."  
7 **A.** Yes.  
8 **Q.** Do you see that?  
9 **A.** Yes.  
10 **Q.** The first paragraph is a statement of  
11 Oracle's goals for its Affirmative Action Plan.  
12 Correct?  
13 **A.** Yes.  
14 **Q.** And its -- its commitment to affirmative  
15 action?  
16 **A.** Correct.  
17 **MS. CONNELL:** Sorry, which page are we on?  
18 **THE WITNESS:** On page 8, right here. I  
19 think it's like Oracle's primary and most effective  
20 program, is that it, under development and execution  
21 action programs? That one?  
22 **BY MS. BREMER:**  
23 **Q.** Exactly.  
24 And in the discussion of -- in the  
25 statement of Oracle's goals, there's no mention of

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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

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1 Oracle's commitment to affirmative action regarding  
2 employee pay. Correct?  
3 **MS. CONNELL:** Objection; misstates the  
4 document. It doesn't refer to goals.  
5 **THE WITNESS:** Yeah, I -- I'm unclear on the  
6 question, because I don't see the word "goals" in  
7 here.  
8 **BY MS. BREMER:**  
9 **Q.** Okay. In the statement of Oracle's  
10 commitment to affirmative action, there's no mention  
11 of Oracle's commitment to affirmative action  
12 regarding employee pay. Correct?  
13 **MS. CONNELL:** Objection; misstates the  
14 document.  
15 **THE WITNESS:** I don't -- I don't believe  
16 this -- this doesn't -- this isn't -- pay is not  
17 covered in this area. So this is some of the  
18 execution of action-oriented programs.  
19 **BY MS. BREMER:**  
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.

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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  
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.

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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.  
5 **MS. CONNELL:** Let me get my objection in.  
6 **THE WITNESS:** Okay.  
7 **MS. CONNELL:** Objection; calls for a legal  
8 conclusion and asked and answered.  
9 **BY MS. BREMER:**  
10 **Q.** Okay. Did you -- in developing internal  
11 audit reports on compensation, did you pull data  
12 regarding compensation?  
13 **MS. CONNELL:** Same objections.  
14 **THE WITNESS:** All of our -- any data that  
15 we pulled was directed for -- under attorney-client  
16 work product.  
17 **BY MS. BREMER:**  
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 --

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1 **Q.** Okay. Any data that was pulled regarding  
2 Oracle's compensation, did you retain that?  
3 **A.** I -- we've retained everything since the  
4 lawsuit was filed. I can't say, you know, before  
5 that what was retained and what wasn't. But I -- I  
6 know that nothing has been deleted and -- and I do  
7 know that one employee had a computer that crashed  
8 before the lawsuit was filed, that -- and I don't  
9 know what data he had on his computer.  
10 But -- and we were unable to recover it.  
11 But that was before the lawsuit was filed, and  
12 that -- I don't believe he had any of the infor --  
13 the type of information you're requesting. Or your  
14 line of questioning is aligned with.  
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

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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.)  
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.  
23 **Q.** How often did your team pull data for  
24 Oracle's attorneys?  
25 **A.** It would vary, depending on the request.

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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.  
8 **BY MS. BREMER:**  
9 **Q.** Okay. Talking about, again, the internal  
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

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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:  
24 Q. Okay. When you say "who else did the  
25 analysis," did you -- did your team do an analysis of

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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.

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1 compensation data under the -- Oracle's Affirmative  
2 Action Plan?  
3 MS. CONNELL: Objection; calls for a legal  
4 conclusion.  
5 THE WITNESS: For --  
6 MS. CONNELL: And asked and answered.  
7 THE WITNESS: -- I can't talk about the  
8 analysis that goes forth with our attorneys.  
9 BY MS. BREMER:  
10 Q. I'm not asking you to describe the analysis  
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

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1 Q. Okay. My -- yeah.  
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

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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  
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.

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1 MS. CONNELL: Objection; asked and  
2 answered.  
3 THE WITNESS: I would refer to my previous  
4 answer.  
5 BY MS. BREMER:  
6 Q. Okay. Looking at the last page of the AAP,  
7 which is page Bates number 5196.  
8 A. Let me find it.  
9 Okay. I'm having a hard time finding it --  
10 Q. It's the very last page of the --  
11 A. Of the narrative?  
12 Q. The --  
13 MR. GARCIA: Whole document.  
14 MS. BREMER: The very -- yes, the very last  
15 page.  
16 THE WITNESS: This one?  
17 MR. GARCIA: No.  
18 MS. CONNELL: It's double-sided.  
19 MR. GARCIA: No, it's double-sided.  
20 MS. CONNELL: Flip it. There you go.  
21 MS. BREMER: Yes.  
22 THE WITNESS: Oh, okay.  
23 BY MS. BREMER:  
24 Q. Okay. This is Oracle's placement goals in  
25 its Affirmative Action Plan. Correct?

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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.  
21 BY MS. BREMER:  
22 Q. And other than specific requests made by  
23 your attorney, your compliance group doesn't conduct  
24 any analysis of compensation of employees to ensure  
25 overall fairness and equity?

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1 A. Yes. Or the goals that are sent out, yes.  
2 Q. And the placement goals relate to hiring?  
3 A. They -- they relate to what the goal  
4 placement rate is as far as -- these are -- the  
5 desired placement rate is what's listed under goal  
6 placement rate. But this -- this reflects areas  
7 where there are shortfalls.  
8 Q. With -- with respect to hiring?  
9 A. Hiring and promotions.  
10 Q. Did Oracle have any goals in its 2014  
11 Affirmative Action Plan related to compensation?  
12 MS. CONNELL: Objection; the document  
13 speaks for itself.  
14 THE WITNESS: Yeah, I -- I'm not aware of  
15 any -- anything like that. The document would speak  
16 for itself, yeah.  
17 BY MS. BREMER:  
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

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1 Affirmative Action Plan.  
2 MS. CONNELL: Laura, we've been going about  
3 an hour, so maybe whenever you're at a breaking  
4 point, we could consider lunch. Just let us know,  
5 so --  
6 MS. BREMER: Okay. Yes, we can go off the  
7 record.  
8 THE VIDEOGRAPHER: The time is --  
9 THE WITNESS: She's going, "Thank God."  
10 THE VIDEOGRAPHER: The time is 12:05 p.m.  
11 We are off the record.  
12 (Recessed from 12:05 p.m. until 1:05 p.m.)  
13 THE VIDEOGRAPHER: The time is 1:05 p.m.  
14 We are on the record.  
15 BY MS. BREMER:  
16 Q. Shauna, you understand you're still under  
17 oath. Correct?  
18 A. Yes.  
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

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1 equity, does that include equity in terms of  
2 nondiscrimination on the basis of race and gender?  
3 A. I can't say what every manager does with  
4 regard to that. They consider it, but overall at  
5 Oracle they look at pay equity based off of  
6 performance, and, you know, what the person's  
7 contribution is, their background, all kinds of  
8 different factors with regard to pay equity. And in  
9 considering all those factors, that's how that's all  
10 put together.  
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

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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.  
16 Q. And were you involved in preparing the  
17 slide regarding equity and pay equity in  
18 compensation?  
19 A. No.  
20 Q. What is the training called?  
21 A. I don't know off the top of my head, but  
22 it's -- it's in what's been produced, and it's --  
23 it's some kind of a compensation training. It's a  
24 PowerPoint slide deck that's been photocopied.  
25 Q. And when you talk about compensation

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1 to consider equity in looking at pay and with regard  
2 to compensation.  
3 BY MS. BREMER:  
4 Q. And when they -- when managers have been  
5 instructed to consider equity in pay, does that  
6 include equity based on protected categories, such as  
7 race and gender?  
8 MS. CONNELL: Objection; calls for  
9 speculation, and the document speaks for itself.  
10 THE WITNESS: You'd have to refer to the  
11 document.  
12 BY MS. BREMER:  
13 Q. And you don't know sitting here today one  
14 way or the other whether it includes that?  
15 A. I would want to look closely at the  
16 document. The document that I've seen talks about  
17 the pay equity. From what I've seen, I don't know  
18 what each manager does in order to determine equity  
19 within their group, but they've all been instructed  
20 to look at pay equity in this document.  
21 Q. And have managers been instructed to look  
22 at pay equity in other ways, aside from the training  
23 that you've mentioned?  
24 MS. CONNELL: Objection; calls for  
25 speculation.

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1 THE WITNESS: Yeah, I would not know for  
2 certain what they've been instructed to, because  
3 Oracle's so big, we have thousands of managers. So  
4 the only thing -- what I'm aware of -- I can only  
5 speak to what I'm aware of, and that's this document.  
6 BY MS. BREMER:  
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

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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 --  
6 Q. Did -- did Oracle retain the compensation  
7 analyses that Oracle's compensation group sent to  
8 Oracle's attorneys?  
9 MS. CONNELL: Objection; assumes facts --  
10 THE WITNESS: I don't --  
11 MS. CONNELL: -- misstates her testimony.  
12 THE WITNESS: Yeah, I don't know what  
13 Oracle's compensation group sent to Oracle's  
14 attorneys.  
15 BY MS. BREMER:  
16 Q. I'm sorry. I'm sorry. Let me -- I  
17 don't -- let me reread the question.  
18 Did -- did Oracle retain the analyses --  
19 the compensation analyses that Oracle's compliance  
20 group sent to Oracle's attorneys?  
21 MS. CONNELL: Objection; asked and  
22 answered.  
23 THE WITNESS: All that is sent -- I believe  
24 I answered this before; I can't attest to anything  
25 that was kept or not kept prior to the lawsuit

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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  
17 individually on compensation issues.  
18 BY MS. BREMER:  
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

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1 starting, and we had the litigation hold put on. Any  
2 other analysis that we've done since then under  
3 attorney-client work product that's privileged, we  
4 have -- we've kept every record with regard to  
5 anything.  
6 BY MS. BREMER:  
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.  
25 BY MS. BREMER:

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1 Q. Okay. Did you receive a copy of the Notice  
2 of Violation that OFCCP sent to Oracle in March of  
3 2016?  
4 A. Yes.  
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?  
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

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1 Attachment A here?  
2 A. I can't speak to that, because all  
3 analysis, once we got the NOV, it was handled by our  
4 outside counsel. We -- so I can't speak to what --  
5 what happened at that point.  
6 Q. But your group did not attempt to replicate  
7 the statistical analysis that was in the NOV?  
8 A. No.  
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?  
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  
23 the lawyers with any kind of analysis as their work  
24 product, after we have received the Notice of  
25 Violation.

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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.  
5 Q. What was your involvement in responding to  
6 OFCCP's March 11, 2016, Notice of Violation?  
7 MS. CONNELL: Objection; lacks foundation,  
8 assumes facts.  
9 THE WITNESS: I -- I -- I -- all that --  
10 that went to our -- once we got the NOV everything  
11 went to our attorneys.  
12 BY MS. BREMER:  
13 Q. Did -- if you look at page 10 out of 12 of  
14 the NOV.  
15 A. I've got to find it.  
16 Okay. 10 of 12?  
17 Q. Yes.  
18 A. There's a bunch in here. I think I've got  
19 it.  
20 Okay.  
21 Q. You see there's an analysis of employees'  
22 annual salary and gender?  
23 A. Yeah.  
24 Q. Okay. Did -- did Oracle attempt to  
25 replicate the statistical analysis OFCCP described in

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1 Q. Did you receive all the communications  
2 regarding the Notice of Violation?  
3 MS. CONNELL: Objection; calls for  
4 speculation and vague.  
5 THE WITNESS: I don't know how many  
6 communications were involved with the Notice of  
7 Violation.  
8 BY MS. BREMER:  
9 Q. Did you receive communications between  
10 Oracle's attorneys and OFCCP regarding the Notice of  
11 Violation?  
12 A. I have no idea if I received any of those.  
13 Q. You attended a conciliation meeting with  
14 OFCCP on October 6th, 2019 [sic]. Correct?  
15 A. Yes.  
16 Q. And Charles Nyakundi and Juana Sherman from  
17 Oracle also attended?  
18 A. Yes.  
19 Q. What are their positions?  
20 A. Charles is -- is a -- well, he's the lead  
21 senior compliance analyst on my team. And Juana  
22 Sherman is -- oversees the employment legal function  
23 at Oracle. She's an attorney.  
24 Q. And Oracle's outside counsel also attended.  
25 Correct?

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1 A. Yes.  
2 Q. And that was Gary Siniscalco and Erin  
3 Connell from Orrick?  
4 A. Yes.  
5 Q. And Ian --  
6 THE REPORTER: I'm sorry?  
7 BY MS. BREMER:  
8 Q. Ian Eliasoph, counsel for civil rights,  
9 attended the October 6th, 2016 -- '19 meeting.  
10 Correct?  
11 A. I believe so. I don't remember the names  
12 of everybody there.  
13 Q. And I also attended, correct?  
14 A. I don't remember. I don't remember  
15 everybody. I just remember Janette, so --  
16 Q. Okay. And Janette Wipper is -- was the  
17 regional director of OFCCP?  
18 A. Yes.  
19 Q. So she attended?  
20 A. I would hope so.  
21 Q. She attended the October 6, 2019  
22 conciliation meeting?  
23 A. Yes.  
24 Q. And Jane Suhr, the deputy regional director  
25 and Hea Jung Atkins also attended, from OFCCP?

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1 Q. She had a prepared -- she -- she talked to  
2 the people present at -- okay. Oracle's regional  
3 director discussed Oracle's role as a federal  
4 contractor at the October 6th, 2019 meeting.  
5 Correct?  
6 A. Not Oracle's regional director.  
7 Q. OFCCP's regional director discussed  
8 Oracle's role as a federal contractor at the October  
9 6, 2019 -- I'm sorry, I have my --  
10 A. No problem. No problem.  
11 Q. OFCCP's -- I've said mistakenly that the  
12 meeting took place on October 6th, 2019, but it was  
13 October 6, 2016. Correct?  
14 A. It was.  
15 Q. Okay.  
16 A. Thank you for catching that, yeah.  
17 Q. Okay. So the times that I said "2019," I  
18 meant October 6, 2016.  
19 A. Yeah, and I was tracking with you.  
20 Q. Okay.  
21 A. Okay.  
22 Q. Okay. And your answers were related to  
23 that meeting?  
24 A. Correct.  
25 Q. Okay. So on -- at the October 6, 2016

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1 A. I don't remember everybody from OFCCP.  
2 Q. Okay. Do you recall that Hoan Luong from  
3 OFCCP also attended?  
4 A. No, I don't -- I don't recall. I just --  
5 my focus was on, I think, Ian and Janette.  
6 Q. But others from OFCCP also attended?  
7 A. Yes.  
8 Q. Did you take notes of the meeting?  
9 A. Yes.  
10 Q. Did you review your notes in preparation  
11 for this deposition?  
12 A. No.  
13 Q. The meeting on October 6th, 2019 started at  
14 approximately 9:00 a.m. Correct?  
15 A. I don't recall.  
16 Q. It started in the morning?  
17 A. Yes.  
18 Q. And it lasted about three hours. Right?  
19 A. From what I recall.  
20 Q. And OFCCP's regional director made a  
21 presentation at that meeting. Correct?  
22 MS. CONNELL: Objection; vague.  
23 THE WITNESS: What do you mean by  
24 "presentation"?  
25 BY MS. BREMER:

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1 meeting, OFCCP's regional director discussed Oracle's  
2 role as a federal contractor. Correct?  
3 A. I don't recall.  
4 MS. CONNELL: Objection; vague.  
5 BY MS. BREMER:  
6 Q. Do you recall her discussing OFCCP's  
7 investigation and the information that was gathered  
8 during the investigation?  
9 MS. CONNELL: Objection; vague.  
10 THE WITNESS: I only recall a very  
11 high-level discussion.  
12 BY MS. BREMER:  
13 Q. Do you recall a discussion of the Notice of  
14 Violation at the October 6, 2016 meeting?  
15 A. At a very high level. Yes.  
16 Q. And at the October 6, 2016 meeting, there  
17 was a discussion of OFCCP's statistical model?  
18 MS. CONNELL: Objection; vague, assumes  
19 facts.  
20 THE WITNESS: Actually, there was very  
21 little discussion of the statistical model at that  
22 meeting, and -- and what factors were -- were used in  
23 the -- in the -- in the OFCCP's analysis. That I do  
24 remember. I don't remember, you know, everything,  
25 but I do remember that -- that we weren't really

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1 provided with the model there.  
2 BY MS. BREMER:  
3 Q. There was a discussion, though, of the  
4 factors used in OFCCP's model?  
5 A. I don't recall that at all.  
6 Q. But it could have happened?  
7 MS. CONNELL: Objection; calls for  
8 speculation, asked and answered.  
9 THE WITNESS: Yeah, I -- I -- actually, I  
10 don't really believe that the factors that went into  
11 the OFCCP's analysis were discussed, each factor, but  
12 I -- you know, I'm relying on memory. And -- but to  
13 the best of my memory, I don't recall that it -- any  
14 kind of detailed information was provided to us with  
15 regard to how the data was analyzed at that meeting.  
16 BY MS. BREMER:  
17 Q. But you do recall some discussion of  
18 OFCCP's statistical model at that meeting?  
19 MS. CONNELL: Objection; vague.  
20 THE WITNESS: No, I do not recall. I only  
21 recall being told what areas that you -- that the  
22 OFCCP were underutilized in the final result, but  
23 there was no detail even discussion about that. It  
24 was -- it was at a very, very high level, the  
25 numbers. We weren't given very many facts at all.

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1 compensation system could be done?  
2 MS. CONNELL: Objection; assumes facts.  
3 THE WITNESS: Yeah, I -- I don't recall any  
4 of that. I -- in all honesty, I don't remember the  
5 different statements that were made during that  
6 meeting. I just remember the high level of what I  
7 took away.  
8 BY MS. BREMER:  
9 Q. Do you recall Gary Siniscalco arguing at  
10 the October 6th, 2016 meeting that OFCCP should  
11 analyze pay by supervisor?  
12 A. I -- I don't -- I don't recall everything  
13 that he said. I think that -- I just -- I don't  
14 recall who said what. I can't really -- it wouldn't  
15 be fair, you know, for me to try and answer and say  
16 something occurred if it didn't. And I don't want to  
17 be -- mislead you, so I don't recall the statements  
18 that were made at that meeting.  
19 Q. Do you recall Oracle taking that position  
20 during the compliance review that OFCCP should  
21 analyze pay by supervisor?  
22 A. I recall that Oracle directed or told OFCCP  
23 that while we have no perfect way of looking at  
24 compensation, that supervisor would -- might be the  
25 best way to look at it to break it down to the

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1 But just this is what we found, and that's about it.  
2 To the best of my ability.  
3 Now, there may be something I'm missing  
4 because I haven't looked at this for three years,  
5 but -- and so I don't want to hang my hat on that,  
6 but -- but I'm telling you, from what I recall, it  
7 was just a very, very high level.  
8 BY MS. BREMER:  
9 Q. Do you still have your notes of that  
10 meeting?  
11 A. I don't know. I'd have to look.  
12 Q. At the meeting Gary Siniscalco said  
13 Oracle's pay structure is so nuanced that it defies  
14 statistical analysis. Correct?  
15 A. I don't remember that, see, I can't -- I  
16 don't recall.  
17 Q. He could have said that; you just don't  
18 recall one way or the other?  
19 MS. CONNELL: Objection; calls for  
20 speculation.  
21 THE WITNESS: I don't know if he could have  
22 said that or not; I just don't recall.  
23 BY MS. BREMER:  
24 Q. Did Oracle take the position at that  
25 meeting that no statistical analysis of Oracle's

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1 granularity. But only because of the product or the  
2 work that -- that would be associated with those  
3 smaller groups of information that I -- that I  
4 described to you earlier, with, you know, supervisors  
5 only supervising these small groups and the  
6 comparator groups are very small.  
7 Q. Okay. So you do recall during the  
8 compliance review Oracle taking the position that  
9 supervisor might be the best way to analyze the data?  
10 MS. CONNELL: Objection --  
11 THE WITNESS: Only -- sorry.  
12 MS. CONNELL: Objection; misstates her  
13 testimony.  
14 THE WITNESS: Only as it relates to  
15 product. It's not just the supervisor; it's the  
16 product the supervisor represents. And it might be  
17 the best way, but even then, at Oracle you have so  
18 many different people doing so many different  
19 functions that -- or responsibilities, and I don't  
20 want to get it confused with the earlier question you  
21 asked me, but you have so many different people  
22 performing so many different types of work, that that  
23 might -- that would probably be the best way, but  
24 it's not inclusive. You could have people working  
25 under a supervisor, the same supervisor with the same

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1 job title, that are doing different things, but  
2 that -- that would be the best way to hone into, you  
3 know, true comparators or the closest way that you  
4 could come up with true comparators.  
5 BY MS. BREMER:  
6 Q. And do you recall during the compliance  
7 review or any time prior to OFCCP filing this  
8 enforcement action, did Oracle back away from the  
9 position that a statistical analysis could only be  
10 done in -- by supervisor or product or very small  
11 categories of employees?  
12 MS. CONNELL: Objection; misstates her  
13 prior testimony, assumes facts, and lacks foundation.  
14 It's also vague.  
15 THE WITNESS: Yeah, I -- I would have to  
16 look at all the documents to -- and review them in  
17 order to be able to answer your question.  
18 BY MS. BREMER:  
19 Q. Okay. So you don't recall, sitting here,  
20 one way or the other, whether Oracle ever took the  
21 position that a statistical analysis could be done  
22 looking at job function or job group?  
23 A. I don't recall Oracle ever saying that a  
24 job analysis could be done by a job function or job  
25 group, because those are very broad categories. And,

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1 THE WITNESS: Yeah, I don't recall any of  
2 the conversation during that meeting off the top of  
3 my head. And so I wouldn't want to -- I just don't  
4 want to give you the wrong information.  
5 BY MS. BREMER:  
6 Q. To your knowledge, does Oracle have a data  
7 field for products?  
8 MS. CONNELL: Objection; vague.  
9 THE WITNESS: During -- I don't know. It  
10 depends, you know, it would really depend on the time  
11 that -- that you'd be requesting that information.  
12 But for the specific product somebody's working on,  
13 I'm not aware of that. I'm not aware of that.  
14 BY MS. BREMER:  
15 Q. At any time do you -- between 2013 and the  
16 present, are you aware of Oracle having data  
17 available for the -- to show the products that  
18 employees are working on?  
19 MS. CONNELL: Objection; calls for  
20 speculation.  
21 THE WITNESS: I'm not aware of that.  
22 That's kind of out of my area, if that data is  
23 available or not. But it would -- if there was  
24 anything, it would have to be something very recent.  
25 BY MS. BREMER:

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1 again, the work is highly specialized, and it's --  
2 it's the only -- only people that we can even come  
3 close to creating comparator groups with would be in  
4 these very small entrepreneurial work units.  
5 Q. Right. And Oracle continued taking the  
6 position that compensation could not be --  
7 THE REPORTER: I'm sorry, Counsel, can you  
8 repeat that?  
9 BY MS. BREMER:  
10 Q. And Oracle continued to take the position  
11 that compensation could not be analyzed by job group  
12 or job function during the conciliation period.  
13 Correct?  
14 MS. CONNELL: Objection; vague, lacks  
15 foundation.  
16 THE WITNESS: Yeah, I don't recall what  
17 happened. There was -- with regard to the  
18 conciliation period. There was only one meeting.  
19 And other than that, I don't know what counsel put  
20 forth with any -- with regards to any conciliation.  
21 BY MS. BREMER:  
22 Q. Do you recall -- do you recall Oracle  
23 taking the position at the October 6th, 2016 meeting  
24 that it did not have a data field for products?  
25 MS. CONNELL: Objection; lacks foundation.

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1 Q. And -- and the position that Oracle took  
2 during the compliance review was that supervisor  
3 could serve as a proxy for a product?  
4 MS. CONNELL: Objection; misstates her  
5 testimony, lacks foundation. It's also vague and  
6 calls for speculation.  
7 THE WITNESS: Supervisor could represent  
8 the product, but it wouldn't necessarily, you know,  
9 be the only product.  
10 BY MS. BREMER:  
11 Q. What do you mean it wouldn't necessarily be  
12 the only product?  
13 A. Well, it could be -- you know, there could  
14 be something else, like, for instance, there might be  
15 a supervisor, depending on what level, there may be a  
16 couple of products that they -- that they oversee.  
17 Q. And a supervisor at Oracle's headquarters  
18 might have team members located in India. Right?  
19 MS. CONNELL: Objection; incomplete  
20 hypothetical.  
21 THE WITNESS: It depends upon what  
22 supervisor you're talking about.  
23 BY MS. BREMER:  
24 Q. So some supervisors at Oracle's  
25 headquarters might have team members located at

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1 Oracle facilities other than headquarters. Right?  
2 **A.** Yeah.  
3 **Q.** And such a supervisor might have only one  
4 employee located at Oracle's headquarters. Right?  
5 **MS. CONNELL:** Objection; incomplete  
6 hypothetical.  
7 **THE WITNESS:** I think that I would have to  
8 know which supervisors you're talking about. And --  
9 and to be able to answer that question, because  
10 it's -- it's a theoretical statement, and I wouldn't  
11 want to -- I wouldn't want to respond to that and say  
12 anything to mislead.  
13 **BY MS. BREMER:**  
14 **Q.** Do you recall a discussion of cohort  
15 analyses at the October 6, 2016 meeting?  
16 **A.** I've already told you, I don't recall the  
17 discussions that occurred during that meeting.  
18 **Q.** Do you recall Gary Siniscalco saying that  
19 he looks at compensation data at the October 6th,  
20 2016 meeting?  
21 **MS. CONNELL:** Objection; asked and answered  
22 at this point.  
23 **THE WITNESS:** Yeah, I'll defer to my prior  
24 answer to that.  
25 **BY MS. BREMER:**

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1 **BY MS. BREMER:**  
2 **Q.** Do you recall OFCCP making other  
3 suggestions about remedies to cure the compensation  
4 discrimination violations cited in the NOV?  
5 **MS. CONNELL:** Objection; assumes facts,  
6 vague.  
7 **THE WITNESS:** I would have to look at -- I  
8 would -- I don't recall off the top of my head. That  
9 would be something that I don't recall.  
10 **BY MS. BREMER:**  
11 **Q.** Do you recall OFCCP asking for a proposal  
12 from Oracle at that meeting?  
13 **A.** I -- I don't recall.  
14 **Q.** Do you know if Oracle ever did make a  
15 monetary offer to OFCCP to resolve the Notice of  
16 Violation for Oracle's headquarters?  
17 **MS. CONNELL:** Objection; calls for  
18 speculation.  
19 **THE WITNESS:** I don't know.  
20 **BY MS. BREMER:**  
21 **Q.** Do you know if Oracle ever agreed that  
22 compensation could be analyzed systemically?  
23 **A.** Agreed where? I don't know. What do you  
24 mean? You're saying "agreed," I don't know -- that's  
25 kind of a general -- I don't know. I don't know.

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1 **Q.** Well, I didn't ask that specific question.  
2 So I'm asking --  
3 **A.** I don't remember what Gary said at that  
4 meeting. It was -- and we're talking two and a half  
5 years ago, so I don't -- I don't recall what was said  
6 at that meeting.  
7 **Q.** At the October 6, 2016 meeting, do you  
8 recall OFCCP's regional director providing a dollar  
9 figure for the compensation claim?  
10 **MS. CONNELL:** Objection; vague, assumes  
11 facts.  
12 **THE WITNESS:** In what way?  
13 **BY MS. BREMER:**  
14 **Q.** Was there a discussion about the value of  
15 the compensation claim at the October 6th, 2016  
16 meeting?  
17 **MS. CONNELL:** Objection; vague.  
18 **THE WITNESS:** From what I recall, that is  
19 one thing I do recall, and that would be at a very  
20 high level.  
21 **BY MS. BREMER:**  
22 **Q.** So at a high level, there was a discussion  
23 of the value of the compensation claim?  
24 **A.** Yes.  
25 **MS. CONNELL:** Objection; vague.

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1 That's kind of general. So when would they have  
2 agreed to this?  
3 **Q.** But I'm -- between March 11th, 2016 and  
4 January 2017.  
5 **A.** Oh --  
6 **MS. CONNELL:** Objection; vague.  
7 **THE WITNESS:** Yeah, I wouldn't know.  
8 **MS. CONNELL:** Calls for speculation.  
9 **THE WITNESS:** I wouldn't know. It was --  
10 everything beyond that point was out of my -- I was  
11 not involved in the processes beyond that point  
12 except at a very high level, so --  
13 Oh, and I do want to correct that. I had a  
14 little bit more knowledge in 2016, but in 2017, I was  
15 out of the picture of anything that you discussed  
16 with our outside counsel.  
17 **BY MS. BREMER:**  
18 **Q.** So you had some knowledge in 2016?  
19 **A.** Yeah.  
20 **Q.** Up through the October 6th, 2016 meeting or  
21 after that?  
22 **A.** Not after that, no. Up to. Just -- just,  
23 you know, attending the meeting and that type of  
24 thing, and being there. But beyond that point, I  
25 have no really -- not much -- I really don't have any

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1 knowledge of what transpired between our legal  
2 counsel and Oracle's law -- you know, Juana Sherman  
3 and -- and the OFCCP beyond that point.  
4 MS. BREMER: Okay. Are we on 20?  
5 THE REPORTER: We are on 22.  
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,

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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.  
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

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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  
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.

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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  
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?

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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.  
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?

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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.  
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.

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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.  
8 Somebody's phone is going off. Oh.  
9 MS. BREMER: Okay. Let's mark as Exhibit  
10 23 a series of e-mails --  
11 THE REPORTER: 24.  
12 MR. GARCIA: 24.  
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

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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

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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  
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

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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.

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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  
24 before I started, so I don't know who -- who put that  
25 together.

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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?  
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:**

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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.

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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.  
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:

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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  
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:

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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?

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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  
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.  
25 **BY MS. BREMER:**

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1 **Q.** Do you know if employees have access to  
2 other materials describing their compensation, other  
3 than the employee handbook?  
4 **MS. CONNELL:** Calls for speculation.  
5 **THE WITNESS:** I can't determine what each  
6 manager provides their employees with regard to  
7 compensation in their work groups.  
8 **BY MS. BREMER:**  
9 **Q.** Okay. What about materials that would be  
10 available to employees such as on Oracle's website?  
11 **MS. CONNELL:** Calls for speculation.  
12 **THE WITNESS:** I have not reviewed all  
13 materials on Oracle's website. I can -- you know,  
14 I've seen the employee handbook. I'm not totally  
15 aware of everything that's on Oracle's website, and I  
16 can only comment with regard to the materials that  
17 I've seen. And -- and this is one that you've got in  
18 front of me right now. So this would be -- and this  
19 is what I provided at that time, so this is --  
20 **BY MS. BREMER:**  
21 **Q.** Okay. And Oracle's employee handbook does  
22 not indicate that the products that employees work on  
23 are taken into account in setting employee  
24 compensation. Correct?  
25 **MS. CONNELL:** Objection; the document

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1 speaks for itself.  
2 **THE WITNESS:** Yeah, I think -- I mean,  
3 it -- it, you know, everything is there that --  
4 that's provided in the handbook. I mean, it's so --  
5 **BY MS. BREMER:**  
6 **Q.** And it says nothing about products being  
7 taken into account regarding compensation. Right?  
8 **MS. CONNELL:** In the entire handbook? Do  
9 you want her to read it?  
10 **MS. BREMER:** I'm talking about this section  
11 on compensation.  
12 **MS. CONNELL:** The document speaks for  
13 itself.  
14 **THE WITNESS:** I think the document speaks  
15 for itself, so --  
16 **BY MS. BREMER:**  
17 **Q.** And the document says nothing about  
18 products. Right?  
19 **MS. CONNELL:** Objection; the document  
20 speaks for itself.  
21 **THE WITNESS:** Yeah, the document speaks for  
22 itself.  
23 **BY MS. BREMER:**  
24 **Q.** And the document says nothing about  
25 supervisors being taken into account in determining

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1 employees' compensation. Right?  
2 **MS. CONNELL:** Objection; assumes facts, and  
3 the document speaks for itself.  
4 **THE WITNESS:** I think the document speaks  
5 for itself. And this is an employee version, so the  
6 document speaks for itself.  
7 **BY MS. BREMER:**  
8 **Q.** Okay. You know that that's not really an  
9 answer to my question.  
10 Can you please ask the question one more  
11 time.  
12 And please answer my question.  
13 (Record read.)  
14 **MS. CONNELL:** Same objections and  
15 argumentative.  
16 **THE WITNESS:** In this particular snippet of  
17 an employee handbook, that's -- you know, a  
18 high-level type of thing. It says nothing about  
19 product in this snippet of information.  
20 **BY MS. BREMER:**  
21 **Q.** Or employees' supervisors?  
22 **MS. CONNELL:** Objection -- same objections.  
23 **THE WITNESS:** In this particular snippet of  
24 the employee handbook, the employee version, it does  
25 not say supervisors.

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1 MS. BREMER: Okay. Let's change the tape.  
2 THE VIDEOGRAPHER: This is -- this is the  
3 end of video two. The time is 2:09 p.m. We are off  
4 the record.  
5 (Recessed from 2:09 p.m. until 2:18 p.m.)  
6 THE VIDEOGRAPHER: The time is 2:18 p.m.  
7 This is the beginning of video three of the May 8th,  
8 2019 deposition of Shauna Holman-Harries. We are on  
9 the record.  
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.

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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.  
12 A. Yeah, none of this. None of the workforce  
13 analysis.  
14 Q. So pages --  
15 A. 1 through 16.  
16 Q. Right. And then starting, I guess the  
17 other pages aren't numbered in the document, but it  
18 would be --  
19 A. They would not be --  
20 Q. -- Bates numbered -- the Bates numbers 5016  
21 through 5196 would not be available to employees on  
22 the website?  
23 A. Correct.  
24 MS. BREMER: Okay. So I would like to mark  
25 as Exhibit 26, a document called "Compensation Review

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1 and Oversight."  
2 THE WITNESS: Okay. And if anybody -- does  
3 anybody want an Altoid? They're cinnamon. They're  
4 pretty good. Anybody? No? Okay.  
5 MR. GARCIA: But thank you for asking.  
6 THE WITNESS: You're welcome.  
7 Anybody?  
8 MS. CONNELL: I'm okay. Thank you.  
9 (Marked for identification Exhibit 26.)  
10 THE WITNESS: Thank you.  
11 BY MS. BREMER:  
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

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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.  
21 BY MS. BREMER:  
22 Q. Has this compensation review and oversight  
23 been revised since 2014?  
24 A. I --  
25 MS. CONNELL: Objection; vague, calls for

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1 speculation.  
2 THE WITNESS: I don't remember.  
3 BY MS. BREMER:  
4 Q. Was the compensation review and oversight  
5 used for any purpose, other than in response to OFCCP  
6 audits?  
7 MS. CONNELL: Objection; calls for  
8 speculation, vague.  
9 THE WITNESS: I can't really say, because I  
10 don't know what other areas the compensation  
11 department would use this for, but it doesn't say --  
12 I'm not saying that they couldn't, I just don't -- I  
13 don't have knowledge of that.  
14 BY MS. BREMER:  
15 Q. Okay. The first sentence of the  
16 compensation review and oversight document states,  
17 "Oracle's compensation policy and philosophy is to  
18 pay employees in a fair and nondiscriminatory  
19 manner."  
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

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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  
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

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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.  
11 BY MS. BREMER:  
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

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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.  
24 MS. CONNELL: -- that you conducted.  
25 THE WITNESS: Yeah, we just -- everything

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1 was under attorney-client work product.  
2 BY MS. BREMER:  
3 **Q.** And how did you determine that everything  
4 that you did to ensure that Oracle's employees'  
5 compensation was fair and nondiscriminatory was done  
6 under attorney work product?  
7 **MS. CONNELL:** Objection; misstates her  
8 testimony, lacks foundation, and calls for a legal  
9 conclusion.  
10 **THE WITNESS:** Could you be a little  
11 clearer?  
12 BY MS. BREMER:  
13 **Q.** What's the basis for you saying that  
14 everything that you did -- that your group did to  
15 ensure that employees were paid in a fair and  
16 nondiscriminatory manner was done under attorney work  
17 product?  
18 **MS. CONNELL:** Same objections; misstates  
19 her testimony, lacks foundation, calls for a legal  
20 conclusion.  
21 **THE WITNESS:** Any kind of analysis that we  
22 did with regard to pay was requested by attorneys as  
23 part of their work product and under attorney-client  
24 privilege.  
25 BY MS. BREMER:

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1 a new hire's salary to make sure they're being placed  
2 in the right job level and salary, based on their  
3 experience and skills?  
4 **A.** The supervisor. Supervisors do. HR may  
5 provide some input as far as, you know, pulling the  
6 salaries for each person for the supervisor, but  
7 ultimately that's the supervisor's decision.  
8 **Q.** Okay. And when it says to make sure that  
9 the employees are placed in the right job, is that  
10 referring to job code?  
11 **A.** I don't know, because I didn't write this  
12 document.  
13 **Q.** At the end of this paragraph it says that,  
14 "Any pay increases that may be given to incumbent  
15 employees is consistent with Oracle's compensation  
16 policies."  
17 What compensation policies is this document  
18 referring to?  
19 **MS. CONNELL:** Objection; calls for  
20 speculation.  
21 **THE WITNESS:** I can't say, because I didn't  
22 write this document.  
23 BY MS. BREMER:  
24 **Q.** Are you aware -- okay. At the bottom, in  
25 the third paragraph of the Compensation Review --

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1 **Q.** And your group did not do any review or  
2 analysis of compensation unless it was specifically  
3 requested by Oracle's attorneys?  
4 **A.** Correct.  
5 **MS. CONNELL:** Objection; asked and  
6 answered.  
7 **THE WITNESS:** Yes, you're correct.  
8 BY MS. BREMER:  
9 **Q.** When you talked about the managers looking  
10 at equity in their work groups, what work groups are  
11 you talking about?  
12 **A.** Any work group. I mean, within that  
13 manager's -- people that report to them.  
14 **Q.** So you're talking about the employees that  
15 a particular supervisor would supervise?  
16 **A.** Yes.  
17 **Q.** The Compensation Review and Oversight  
18 document that you provided to OFCCP says that "A new  
19 hire salary is reviewed at hire to ensure that they  
20 are being placed at the right job level and salary  
21 based on their experience and skills."  
22 Who does that?  
23 **A.** Who decides what pay a new hire comes in  
24 at? Is that what you're asking?  
25 **Q.** Who does -- right. It says -- who reviews

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1 **A.** Okay.  
2 **Q.** -- and Oversight document --  
3 **A.** Sure. Sure.  
4 **Q.** -- it says, "Some departments or business  
5 units may also be subject to budgetary constraints  
6 that could affect the level of pay, pay increases  
7 available to new hires/employees in that  
8 organization."  
9 Is -- when this document is talking about  
10 "budgetary constraints," is that talking about the  
11 budget that's provided by the EVP or senior  
12 executives?  
13 **MS. CONNELL:** Objection; assumes facts and  
14 calls for speculation.  
15 **THE WITNESS:** I -- I can't say the budget  
16 provided by the EVP, or whatnot; I don't know how it  
17 filters down and who determines who has what budget  
18 in different lines of business.  
19 BY MS. BREMER:  
20 **Q.** What budgetary constraints affect  
21 compensation at Oracle?  
22 **MS. CONNELL:** Objection; calls for  
23 speculation, vague.  
24 **THE WITNESS:** I can only speak with regard  
25 to my own work group, but I'll get a budget, say, for

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1 instance, for a focal review. And I'm told to  
2 allocate that money between the people and my team.  
3 And I go in and I look at their contribution, their  
4 work performance, and the factors that we've talked  
5 about earlier in some of the documents you've  
6 provided, and I go in and look at, you know, equity  
7 within the group, how are they performing? What type  
8 of work are they performing? Are they going above  
9 and beyond, and that type of thing. And then I  
10 determined based off of that -- and their  
11 performance -- I determine based off that how much to  
12 allocate.  
13 And also where they are in the system, you  
14 know, where they are compared to people that are  
15 doing maybe similar work in my work group, because  
16 not everybody that reports to me that has a  
17 compliance analyst job title is doing the same work.  
18 There's some crossover, but some of it is very  
19 different.  
20 BY MS. BREMER:  
21 Q. And do you know if all managers who are  
22 allocating compensation to employees consider the  
23 same factors that you do?  
24 MS. CONNELL: Calls for speculation.  
25 THE WITNESS: I couldn't possibly tell you

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1 response to its request for Oracle's compensation  
2 policies?  
3 A. I very well could have. I'd have to look  
4 again to verify that. I'd have to look at the  
5 e-mails I sent, and the responses that I made to  
6 OFCCP, but it looks like something that I would have  
7 provided.  
8 Q. Did -- is this information, Oracle's  
9 compensation guidelines, in Exhibit 27, is that from  
10 Oracle's intranet?  
11 MS. CONNELL: Objection; calls for  
12 speculation.  
13 THE WITNESS: I'm not sure if it's there or  
14 not. I don't remember.  
15 BY MS. BREMER:  
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.

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1 that, because I -- I -- again, I don't -- we have so  
2 many thousands of managers I -- I haven't had a  
3 discussion with them on how they do this.  
4 BY MS. BREMER:  
5 Q. But sometimes you don't have enough of a  
6 budget for pay increases to provide as much money to  
7 your reports that you'd like. Right?  
8 MS. CONNELL: Objection; assumes facts,  
9 incomplete hypothetical.  
10 THE WITNESS: Do any of us ever have enough  
11 money to provide all the money we want to give to  
12 other people? So I don't know. I think that's -- I  
13 think it's relative.  
14 MS. BREMER: Okay. I'd like to mark as  
15 Exhibit 27, a document entitled "Oracle Compensation  
16 Guidelines," it's Bates stamped ORACLE\_HQCA 380594  
17 through 597.  
18 (Marked for identification Exhibit 27.)  
19 THE WITNESS: Thank you.  
20 BY MS. BREMER:  
21 Q. Do you recognize this document?  
22 A. Vaguely. It's not something that I  
23 prepared or that -- I think I've seen it, but I  
24 haven't delved into it in depth.  
25 Q. Did you provide Exhibit 27 to OFCCP in

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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.  
8 BY MS. BREMER:  
9 Q. And do you recall where you -- if you got  
10 this from Oracle's intranet or someplace else?  
11 A. I -- I don't recall where I got it. I may  
12 have even gotten it from the compensation folks, you  
13 know, in asking them to provide the attachment. It's  
14 been five years, so -- or almost five years, so I  
15 don't recall.  
16 Q. Okay. If you look at the section on  
17 page -- on the first page, under "salary increases."  
18 A. Uh-huh.  
19 Q. It says, "Salary increases are offered at  
20 the discretion of your manager."  
21 Do you see that?  
22 A. Yes.  
23 Q. Are salary increases at Oracle solely at  
24 the discretion of managers?  
25 MS. CONNELL: Objection; calls for

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1 speculation.  
2 THE WITNESS: I don't know.  
3 BY MS. BREMER:  
4 Q. Okay. You don't know -- and -- and you --  
5 do you have any involvement or your group have any  
6 involvement in providing advice as to which employees  
7 should receive salary increases?  
8 A. No.  
9 Q. Does your group do anything to ensure that  
10 Oracle employees receive salary increases in a  
11 nondiscriminatory manner?  
12 MS. CONNELL: Objection; asked and  
13 answered.  
14 THE WITNESS: That was answered in the  
15 question in my description of the process, the full  
16 compensation equity analysis that occurs from hire,  
17 you know, through established employee, through stock  
18 options, and through any incentives like bonus.  
19 BY MS. BREMER:  
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

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1 A. It -- I mean, I -- I mean it could be --  
2 MS. CONNELL: Calls for speculation.  
3 THE WITNESS: I'm not really sure, yeah. I  
4 mean, I'm really not. I don't know who all is  
5 involved in making that decision because I'm not part  
6 of that decision.  
7 BY MS. BREMER:  
8 Q. But you know it's somebody higher than you  
9 in the company?  
10 A. The discernment, you know, are we going to  
11 have a salary increase this year or bonus increase,  
12 yes, but not -- not who gets what.  
13 Q. It says also, "Bonuses are designed to  
14 reward employees for assisting the company in meeting  
15 key strategic company goals and objectives, including  
16 profitability."  
17 Do you know what key strategic company  
18 goals and objectives Oracle considers in awarding  
19 bonuses.  
20 MS. CONNELL: Calls for speculation,  
21 assumes facts.  
22 THE WITNESS: I can't say, because I think  
23 each work group has their own goals, and I don't know  
24 what those are. I know my workers have their own  
25 goals, so --

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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.  
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.  
20 BY MS. BREMER:  
21 Q. Okay. Who -- do you know who higher than  
22 your pay grade decides if bonuses will be awarded?  
23 A. I don't know all the people that are  
24 involved, no.  
25 Q. But do you know some of them?

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1 BY MS. BREMER:  
2 Q. Turning back to the first -- the first  
3 page.  
4 A. Sure.  
5 Q. It says, near the bottom, "How are salary  
6 increases allocated?" It says, "Each line of  
7 business" -- do you know what they're referring to  
8 when it says "line of business"?  
9 MS. CONNELL: Objection; calls for  
10 speculation.  
11 THE WITNESS: I'm not really certain. It  
12 could be -- it could be different lines of business,  
13 so -- I mean, it just -- line of business, I don't  
14 know how that rolls up, no.  
15 BY MS. BREMER:  
16 Q. What do you understand "line of business"  
17 to mean at Oracle?  
18 MS. CONNELL: Objection; assumes facts.  
19 THE WITNESS: I can only speak to my own  
20 line of business, which is human resources. And --  
21 but I don't know how the other line of businesses are  
22 divided, if they have go down into, you know, smaller  
23 product lines, you know, or how it rolls up.  
24 MS. BREMER: Okay. I'd like to mark as  
25 Exhibit 28, a document entitled "Analysis of Pay at

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1 Oracle," and it's Bates numbered ORACLE\_HQCA 382599.  
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?

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1 revision date to differentiate, so we don't get it  
2 mixed up with something else.  
3 Q. And the page -- the second page does not  
4 have a footer. Correct?  
5 A. Correct.  
6 Q. Okay. So the first sentence of the  
7 analysis of pay at Oracle says, "When analyzing pay  
8 information, evaluating pay based on supervisor is  
9 the most accurate method of analysis at Oracle."  
10 What was the basis of that statement?  
11 A. I think it's followed up in the second  
12 sentence where it says, "Supervisor typically denotes  
13 the different" -- "the different line of business  
14 and/or product the employee is working on."  
15 Q. Okay. And you indicated that this document  
16 was drafted with the help of outside counsel, as well  
17 as people in the compensation department?  
18 A. Yes.  
19 Q. Who in the compensation department did you  
20 consult with?  
21 A. I would have sent this to Lisa Gordon, but  
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.

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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  
5 speculation.  
6 THE WITNESS: I don't know.  
7 MS. CONNELL: Does your -- just for the --  
8 am I supposed to have two pages? Does the exhibit  
9 have two pages?  
10 MS. BREMER: Oh, no, just one, one page.  
11 MR. GARCIA: Well --  
12 THE WITNESS: Okay, no problem or is there  
13 a different one?  
14 MS. BREMER: I know. I'm just using this  
15 one.  
16 MR. GARCIA: Okay.  
17 MS. BREMER: You can just --  
18 THE WITNESS: Okay. Yeah, it could have  
19 been -- this could indicate the revision. There may  
20 be some differences. I don't know; I'd have to read  
21 it.  
22 BY MS. BREMER:  
23 Q. And that's -- that's the second page?  
24 A. It could be, but I don't know when. That's  
25 why I was trying to tell you that I believe this is a

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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.  
13 Q. It says -- the second sentence says,  
14 "Supervisor typically denotes the different line of  
15 business and/or product the employee is working on."  
16 So each supervisor does not have an entire  
17 line of business, do they?  
18 MS. CONNELL: Objection; incomplete  
19 hypothetical.  
20 THE WITNESS: Could you be a little bit  
21 more specific?  
22 BY MS. BREMER:  
23 Q. Well, at Oracle there can be multiple  
24 supervisors working in the same line of business; for  
25 example, in -- is product development -- within the

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1 product development job function, how many lines of  
2 business are there?  
3 MS. CONNELL: Objection; calls for  
4 speculation.  
5 THE WITNESS: I -- I don't know. I don't  
6 know. And it would be depending on who was defining  
7 the line of business and how it was being defined,  
8 and so -- I don't know how many -- I don't know how  
9 many products there would be there, if they were  
10 using that for the line of business or exactly --  
11 BY MS. BREMER:  
12 Q. Well, how do you -- you know, you worked on  
13 drafting this document --  
14 A. Yes.  
15 Q. -- how do you -- how did you define line of  
16 business when you were writing this analysis of pay?  
17 A. It was from a hypothetical. Different --  
18 okay. So it has -- it says, "Different products and  
19 different lines of business typically require  
20 employees and those" --  
21 THE REPORTER: Hold on. Read a little  
22 slower, please.  
23 THE WITNESS: I'm sorry. I'm sorry. Okay.  
24 "Different products and different lines of business  
25 typically require employees in those respective areas

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1 to have different skill-sets."  
2 And that would mean the different products  
3 that are represented in different lines of business  
4 typically require employees to have different  
5 skill-sets. So depending on what product they're  
6 working on.  
7 BY MS. BREMER:  
8 Q. Okay. But I'm -- I'm wondering what line  
9 of business -- what you meant by "line of business"  
10 in this document. Is that like job function, where,  
11 like, product development would be a line of business  
12 or would you consider Tom Kurian's group at the time  
13 to be a line of business?  
14 A. No, because it says "different products and  
15 different lines of business," so it would have to  
16 marry, because Thomas Kurian, his line of business  
17 included many different products.  
18 Q. So you're saying every product would be a  
19 separate line of business?  
20 A. And.  
21 MS. CONNELL: Objection; misstates her  
22 testimony.  
23 THE WITNESS: Yeah, it says -- no, I didn't  
24 say that. I said "different products and different  
25 lines of business." So it's not either/or; it's an

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1 and.  
2 BY MS. BREMER:  
3 Q. Okay. There could be numerous supervisors  
4 working on the same product?  
5 MS. CONNELL: Objection; incomplete  
6 hypothetical.  
7 THE WITNESS: I don't know what the  
8 breakdown is. I can't answer that question.  
9 BY MS. BREMER:  
10 Q. You don't know one way or the other?  
11 A. I don't know how many supervisors work on  
12 what products, so I wouldn't want to speculate.  
13 Was that better the second time?  
14 THE REPORTER: It's fine.  
15 THE WITNESS: Okay. I'm sorry.  
16 BY MS. BREMER:  
17 Q. In the third paragraph it says, "Because of  
18 the small groups, employee pay and skill level are  
19 analyzed each time pay is changed as a result of  
20 focal review."  
21 Is that what you were talking about earlier  
22 when you say that managers would analyze pay?  
23 A. Yes.  
24 Q. Okay. But that's not something that your  
25 group was doing?

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1 A. No.  
2 Q. And it says at the bottom, "During this  
3 process employees' salaries are evaluated and  
4 adjustments are made, if necessary, based on  
5 performance and comparators to ensure pay equity."  
6 How do you know that that was done?  
7 A. I've been in -- I've been in a number of  
8 OFCCP interviews, and where the OFCCP has asked those  
9 questions, and I've heard numerous managers  
10 explaining the process repeatedly over and over  
11 again. And -- and they talk about pay equity within  
12 their group. And -- and then and basing pay on  
13 performance. Now, does that mean that I'm speaking  
14 for all managers and their processes? No, because I  
15 can only speak for the people that I've been in the  
16 interviews with. But that is -- that is one of the  
17 areas that -- one of the -- I guess the sources of  
18 this knowledge.  
19 Q. Okay. So when -- when the document says  
20 that during this process adjustments are made, if  
21 necessary, based on performance in comparators to  
22 ensure pay equity, that's done by the individual  
23 managers?  
24 A. Yes.  
25 Q. And then it says, "In addition to the focal

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1 review, compensation is reviewed, as directed by  
2 in-house counsel to ensure that the process is fair,  
3 unbiased, and that there are no unlawful  
4 disparities."  
5 Do you -- and that's what you were  
6 describing previously?  
7 **A.** As far as the in-house counsel during the  
8 focal review, yes.  
9 **Q.** In addition to the focal review, it says.  
10 **A.** Yes. Yes.  
11 **Q.** Have any -- are you aware of any  
12 adjustments to employee pay that have been made as a  
13 result of the review by in-house counsel?  
14 **A.** I don't have access to that knowledge.  
15 **Q.** And you're not aware of that?  
16 **A.** No.  
17 **MS. BREMER:** Okay. I will mark --  
18 **MS. CONNELL:** Just for the record, I -- I  
19 haven't been designating exhibits as confidential,  
20 but a lot of them have marked "confidential." Do you  
21 need me to specially designate exhibits as  
22 confidential, if they've got a confidential Bates  
23 stamp on them?  
24 **THE REPORTER:** No.  
25 **MS. CONNELL:** Okay. Thank you.

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1 this compensation training?  
2 **A.** No, I did not.  
3 **Q.** You've mentioned compensation training  
4 earlier in this deposition. Is this the training  
5 that you were talking about or something else?  
6 **A.** Yes. This is it, I believe. It has the  
7 slide I was referencing.  
8 **Q.** And what slide were you referencing?  
9 **A.** "General Principles."  
10 **Q.** And what page is that?  
11 **A.** Oh, it's the one that ends at 407-8. I  
12 think. Or no, she's -- she's correcting me.  
13 **MS. CONNELL:** I'm not -- I'm --  
14 **THE WITNESS:** This one?  
15 **BY MS. BREMER:**  
16 **Q.** It says "General Principles" on 407 --  
17 **A.** Yeah, it doesn't have the 2 after it, it  
18 doesn't have the 2.  
19 **MS. CONNELL:** I'm looking at a different  
20 page than you're looking at, but you're testifying.  
21 **THE WITNESS:** Okay.  
22 **MS. CONNELL:** But look at the entire  
23 document.  
24 **THE WITNESS:** I will.  
25 **BY MS. BREMER:**

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1 **MS. BREMER:** Okay. I would like to mark as  
2 Exhibit 29, a series of e-mails dated February 17th,  
3 2015 through February 26th, 2015, between Shauna  
4 Holman-Harries and Hoan Luong, with an attachment  
5 entitled "Oracle Global Compensation Training."  
6 Oh, is that it? Yes.  
7 (Marked for identification Exhibit 29.)  
8 **THE WITNESS:** Thank you.  
9 **BY MS. BREMER:**  
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.  
25 **Q.** Did you have any involvement in preparing

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1 **Q.** So is this a training that was provided to  
2 Oracle managers?  
3 **A.** As far as I know, yes. This is what I --  
4 yes. But I did not -- I didn't provide the training.  
5 This wasn't provided by me; it would have been  
6 provided by the compensation department. So I just  
7 want to qualify that --  
8 **Q.** Right.  
9 **A.** -- that I have limited knowledge on -- on  
10 anything other than it's provided to managers.  
11 **Q.** Right. You didn't give the training to  
12 managers; you just provided the training to OFCCP?  
13 **A.** You're exactly right, yes.  
14 **Q.** Did you send any other compensation  
15 training documents to OFCCP?  
16 **A.** I don't recall.  
17 **Q.** Do you know if Oracle has any other  
18 compensation guidelines, policies, or procedures?  
19 **MS. CONNELL:** Calls for speculation.  
20 **THE WITNESS:** Yeah, I'd have to rereview  
21 it. And then I'd also have to ask compensation if  
22 they have any others, because this audit's -- you  
23 know, it's almost five years old, and so I -- I can't  
24 really say for certain what all documents they have  
25 now. Or what all documents they had then, without,

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1 you know, asking.  
2 BY MS. BREMER:  
3 Q. Did you go to the compensation group in  
4 order to get training materials to send to OFCCP?  
5 A. I would have had to, yes.  
6 Q. Okay. When you look at the general  
7 principles that you were referencing --  
8 A. Yes.  
9 Q. -- it says that, "An employee's salary  
10 should take into account comparisons with others in  
11 group peers-equity" --  
12 A. Yes.  
13 Q. -- as one of the factors that should be  
14 taken into account?  
15 A. Yes.  
16 Q. And again, you didn't have any input into  
17 drafting these general principles?  
18 A. No.  
19 Q. Okay. And, to your knowledge, this is  
20 information that was provided to managers in helping  
21 them determine how to set compensation at Oracle?  
22 A. To my general knowledge, yes.  
23 Q. Okay. And the notes, which are on  
24 407-11 --  
25 A. Okay.

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1 Jung Atkins of OFCCP to Shauna Holman-Harries.  
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  
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.

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1 Q. -- indicate in the second paragraph,  
2 "Internal equity is considering how much you pay your  
3 employees relative to another."  
4 A. Uh-huh.  
5 Q. The guidance that managers at Oracle were  
6 provided concerning equity did not provide guidance  
7 regarding gender equity or nondiscrimination based on  
8 gender or race. Right?  
9 MS. CONNELL: Objection; misstates the  
10 document.  
11 THE WITNESS: Yeah, the document states  
12 that it says nondiscriminatory criteria.  
13 BY MS. BREMER:  
14 Q. But there's so -- there's no discussions of  
15 the protect categories. Right?  
16 MS. CONNELL: Objection; the document  
17 speaks for itself.  
18 THE WITNESS: Yeah, it talks about every  
19 discriminatory area. It speaks for itself, I agree.  
20 Non -- nondiscriminatory criteria, I would -- in my  
21 mind, would encompass any area that a person could be  
22 discriminated against on.  
23 MS. BREMER: Okay. I'm going to mark as  
24 Exhibit 30, a document Bates stamped DOL 1237 through  
25 1240. It's a letter, dated April 27th, 2015 from Hea

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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.  
13 MS. CONNELL: Objection; the document  
14 speaks for itself.  
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.  
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?

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1 **A.** I believe it is, yes.  
2 **Q.** And this e-mail responded to OFCCP's  
3 request number 3 in the April 27th, 2015, letter that  
4 we just reviewed, which was Exhibit --  
5 **A.** Okay.  
6 **Q.** -- 30. Right?  
7 **A.** Yes.  
8 **Q.** And looking back at Exhibit 30, it  
9 requested the dates of internal pay equity analyses  
10 conducted during the past three years, as required  
11 under 60-2.17, and then it includes specific  
12 information for each analysis, to include the dataset  
13 used for the analysis, and the action taken, if any,  
14 as a result of the analysis.  
15 Do you see that?  
16 **A.** And which item?  
17 **Q.** Item 3 in the April 27th, 2015 letter?  
18 **A.** Yes.  
19 **Q.** Okay. So then in Exhibit 31, it states at  
20 the bottom of the first paragraph, "Pay equity at  
21 Oracle and ensuring fairness and consistency among  
22 cohorts is an ongoing process and an integral part of  
23 Oracle's evaluation of its compensation system."  
24 What did you mean when you said that?  
25 **A.** What I had talked to you before about pay

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1 people that -- that don't work on it. So I may have  
2 a person who does a lot of pulling of data, right,  
3 and I may have another person that works with the  
4 grassroots effort, as far as establishing diversity  
5 partners, you know, where Oracle does business.  
6 And so I'm going to look at them a little  
7 bit differently because they have different  
8 responsibilities, even though they have the same  
9 titles. So they wouldn't be true cohorts. What  
10 would be a true cohort would be somebody that --  
11 another data person being compared to -- you know,  
12 two data people being compared together.  
13 **BY MS. BREMER:**  
14 **Q.** So when you told OFCCP that Oracle ensured  
15 fairness and consistency among and between cohorts,  
16 you were talking about employees who had the same  
17 supervisor and who were doing the same work?  
18 **MS. CONNELL:** Objection; misstates her  
19 testimony.  
20 **THE WITNESS:** I was saying that people that  
21 were doing comparable work. I'd have to look at  
22 every issue, you know, and the supervisors and get a  
23 grasp on a specific work group, because it's just not  
24 that easy to draw distinct lines at Oracle. Oracle  
25 is heavily matrixed. And in order to really evaluate

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1 equity being part of a continual process, to where  
2 equity is -- employees' initial starting pay is  
3 evaluated when they very first come in for pay equity  
4 within their group. And then also the analysis is  
5 done during the focal review, down to the -- down to  
6 bonuses or different stock options, any kind of  
7 incentives, so --  
8 **Q.** And this says that "Pay equity at Oracle,  
9 and ensuring fairness and consistency among and  
10 between cohorts is an ongoing process."  
11 What did you mean by "cohorts"?  
12 **A.** People doing the same type of work.  
13 **Q.** Okay. And how did you define the people  
14 who were doing the same type of work?  
15 **MS. CONNELL:** Objection; lacks foundation,  
16 assumes facts, and misstates the document.  
17 **THE WITNESS:** On -- if you -- generally  
18 it's by, again, when you go back to the supervisor  
19 part to where the supervisor evaluates people within  
20 their work group that do similar work. So, for  
21 instance, in my work group, you know, I would have --  
22 I have some people I told you that do different work  
23 than other people, even though they have the same job  
24 title, so I'm going to assess those people against  
25 each other more so with regard to pay than I am

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1 pay, I mean, the first thing is by supervisor, you're  
2 correct there, but we would still -- you know, there  
3 may be other similarities involved, but it would  
4 mainly be based off the supervisor.  
5 **BY MS. BREMER:**  
6 **Q.** Okay. So when you were talking about  
7 cohorts in this document, you were talking about  
8 people who were supervised by the same supervisor and  
9 who were doing comparable work?  
10 **MS. CONNELL:** Objection; misstates her  
11 testimony.  
12 **THE WITNESS:** Essentially, yes.  
13 **BY MS. BREMER:**  
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.

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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  
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.  
25 THE WITNESS: Yeah, which -- you're saying

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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.  
25 MS. CONNELL: Could we go off the record,

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1 June 2nd; which exhibit is that?  
2 BY MS. BREMER:  
3 Q. That's Exhibit -- Exhibit 31 that we were  
4 just looking at.  
5 A. That's April 27th. Are you talking about  
6 that?  
7 Q. No, not the letter. The Exhibit 31 that's  
8 the e-mail --  
9 A. Yeah.  
10 Q. -- at the top?  
11 A. You said did I reference this in my -- my  
12 June 2nd e-mail, so that's why I was confused. I  
13 thought that's what --  
14 Q. So it says on the June 2nd, 2015 e-mail, it  
15 says, "I refer you to the lengthy interview conducted  
16 with Lisa Gordon."  
17 A. Okay. Where -- which paragraph?  
18 Q. There.  
19 A. That one.  
20 Q. The second sentence.  
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?

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1 please? Could we take a break, please, when you're  
2 at a breaking point? Laura, when you're at a  
3 breaking point?  
4 MS. BREMER: Yes, in just a second.  
5 Q. And you attended Lisa Gordon's interview by  
6 OFCCP. Right?  
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" --

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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.  
24 THE WITNESS: No, I'm -- I'm -- this -- it  
25 would be information that -- that she provided. I --

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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  
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

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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.

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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.

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1 BY MS. BREMER:  
2 Q. Okay. And when you said "this," you held  
3 up --  
4 A. This, I'm sorry --  
5 Q. -- Exhibit 32?  
6 A. -- Exhibit 32, yes.  
7 THE REPORTER: Hold on, please.  
8 THE WITNESS: Yeah.  
9 BY MS. BREMER:  
10 Q. And when you said "this," you were holding  
11 up Exhibit 32. Right?  
12 A. Right.  
13 MS. BREMER: Okay. Thank you. Okay.  
14 Let's take a -- a break.  
15 MS. CONNELL: Thank you.  
16 THE VIDEOGRAPHER: The time is 3:29 p.m.  
17 We are off the record.  
18 (Recessed from 3:29 p.m. until 3:42 p.m.)  
19 THE VIDEOGRAPHER: The time is 3:42 p.m.  
20 We are on the record.  
21 THE WITNESS: Laura, I have a couple things  
22 to clear up. The first one is when we were  
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.

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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,  
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.

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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.

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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.

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1 THE WITNESS: What I was trying to tell you  
2 is I would have to read this, and I don't recall what  
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

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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?

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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.  
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

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1 A. I'd have to refer to the e-mails to be  
2 absolutely certain.  
3 Q. But it was -- the analysis of pay at Oracle  
4 was sent to OFCCP as part of at least the Cambridge,  
5 Massachusetts, audit?  
6 A. Yes. But I don't know which version. I'd  
7 have to go back and look and see what version was  
8 submitted. Because it's been revised.  
9 Q. So it's either -- either the page -- the  
10 first or second page would have been sent?  
11 A. I'd have to -- I'd have to look in my  
12 records to determine which version was sent and see  
13 how many versions there were, because there were  
14 several versions.  
15 Q. Were there substantive changes to the  
16 versions of the analysis of pay at Oracle?  
17 MS. CONNELL: Objection; the documents  
18 speak for themselves, vague as to substantive.  
19 THE WITNESS: I'd have to look at each  
20 version to determine that. I don't recall what  
21 changes were made.  
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,

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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

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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

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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  
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.

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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.  
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.

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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  
25 may not have, because I usually don't worry about

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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 --  
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

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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

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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?

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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 --  
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

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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.

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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  
24 each edit and confirm if they're reflected in Exhibit  
25 A to her declaration?

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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 --  
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.

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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 --  
13 **Q.** Have you seen Lisa Gordon's signature  
14 before?  
15 **A.** I may have, but I couldn't -- I don't  
16 recall what it looks like.  
17 **Q.** Did you act as a messenger between OFCCP  
18 and other witnesses that OFCCP interviewed during the  
19 compliance audits?  
20 **A.** Could you be more specific? Because the  
21 other interviews were a little different, so could  
22 you be more specific?  
23 **Q.** That's my question.  
24 **MS. CONNELL:** Objection; lacks foundation,  
25 assumes facts.

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1 **MS. CONNELL:** Objection; the document  
2 speaks for itself.  
3 **THE WITNESS:** So your question is that you  
4 were not just requesting the dates of the pay  
5 analysis --  
6 **BY MS. BREMER:**  
7 **Q.** OFCCP was --  
8 **A.** Is that your question?  
9 **Q.** OFCCP was not just requesting the dates?  
10 **A.** Correct. That's what it states.  
11 **MS. BREMER:** Okay. Okay. Yes, let's --  
12 let's take a break to change the tape.  
13 **MS. CONNELL:** Okay.  
14 **THE WITNESS:** Oh, okay.  
15 **THE VIDEOGRAPHER:** This is the end of video  
16 three. The time is 4:14 p.m. We are off the record.  
17 (Recessed from 4:14 p.m. until 4:20 p.m.)  
18 **THE VIDEOGRAPHER:** This is the beginning of  
19 video four of the May 8th, 2019 deposition of Shauna  
20 Holman-Harries. The time is 4:20 p.m. We are on the  
21 record.  
22 **MS. BREMER:** Okay. I'd like to mark as  
23 Exhibit Number 34 Regulations 41 CFR 60-2.17.  
24 (Marked for identification Exhibit 34.)  
25 **THE WITNESS:** Thank you.

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1 **THE WITNESS:** I received interview  
2 statements from the OFCCP almost a year after,  
3 anywhere from seven months to maybe 12 months after  
4 the actual on-site audit took place. I was asked to  
5 forward them to different individuals, you know, with  
6 regard to having them sign the documents, but it  
7 was -- it was -- it was -- there was so much time in  
8 between, you know, I don't believe any were returned.  
9 **BY MS. BREMER:**  
10 **Q.** And you're talking about the audit of HQCA?  
11 **A.** Yes.  
12 **Q.** Okay. Looking back at Exhibit 30.  
13 **A.** Uh-huh.  
14 **Q.** And item 3 that we were talking about  
15 before, which was OFCCP's request. So OFCCP  
16 requested both the dates for any internal pay equity  
17 analysis conducted during the past three years, as  
18 required under 60-2.17, and it also requested the  
19 dataset used for the analysis and actions taken, if  
20 any, as a result of the analysis. Correct?  
21 **A.** Is that what it says? Yes, that's what it  
22 says.  
23 **Q.** So OFCCP was not just requesting the dates  
24 of the pay equity analysis in its April 27th, 2015  
25 letter?

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1 **BY MS. BREMER:**  
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  
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

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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

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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.

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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?  
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.)

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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

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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  
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.

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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 --  
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.  
21 **THE WITNESS:** Okay. So you're asking about  
22 the stuff that managers do? There's two different --  
23 there's two different areas, and I think that this is  
24 where I'm getting confused. Because you're -- it  
25 appears to me that you're asking me about

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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

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1 communication from counsel and the privileged  
2 analysis that they did. And I don't feel comfortable  
3 responding to that, because that's their work  
4 product.  
5 That's why I -- I kind of keep looking at  
6 you, you know, and why am I getting these questions,  
7 because this is privileged. Are you asking questions  
8 about the analysis that managers do?  
9 **BY MS. BREMER:**  
10 **Q.** Okay. Let me first -- with respect to 41  
11 CFR Section 60-2.17(c), regarding the -- the problem  
12 areas identified, I understood your -- you to be  
13 saying that the only problem areas identified would  
14 have been identified by counsel, is that correct, or  
15 not?  
16 **A.** The problem areas, from a pay analysis.  
17 However, if a manager -- managers could also have  
18 problem areas within their group that they identified  
19 that they remedy on their own for -- for the analysis  
20 that we do, in compliance of this particular  
21 activity. The other activity, and I just want to be  
22 really clear, again, that the activity with counsel  
23 is not -- is not even related to this. It's an  
24 individual analysis.  
25 **Q.** Okay. So when you said the activity with

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1 counsel is not related to this, you're talking about  
2 it's not related to --  
3 **A.** It's not part of --  
4 **Q.** -- to this regulation --  
5 **A.** Correct.  
6 **Q.** 60-2.17?  
7 **A.** Yes.  
8 **Q.** Okay. Now, just focusing right now on this  
9 regulation --  
10 **A.** Okay.  
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

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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

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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  
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.

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1 it, but I don't know what additional training  
2 different groups or different managers received in  
3 addition to this.  
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

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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  
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

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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.  
24 MS. CONNELL: -- calls for speculation.  
25 THE WITNESS: Yeah.

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1 BY MS. BREMER:  
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  
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

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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 it.  
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

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1 action-oriented programs designed to correct any  
2 problems in compen -- in Oracle's compensation  
3 systems?  
4 MS. CONNELL: Objection; assumes facts,  
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

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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

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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?  
22 A. Sure.  
23 MS. CONNELL: For the record, it was filed  
24 by plaintiffs, not Oracle.  
25 MS. BREMER: Okay.

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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,  
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.

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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 **Q.** 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

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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)?  
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?

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1 efforts with respect to compensation?  
2 **MS. CONNELL:** Objection; misstates her  
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

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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

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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.  
11 **A.** Okay.  
12 **Q.** 41 CFR Section 60-2.17(d)(4).  
13 **A.** Okay, let me find it, let me find it.  
14 Okay, I see (b), (c), (d), yes.  
15 **Q.** It requires the contractor to advise top  
16 management of program effectiveness and submit  
17 recommendations to improve unsatisfactory  
18 performance.  
19 Are you aware of anything that Oracle has  
20 done to comply with this subsection regarding its  
21 compensation systems?  
22 **MS. CONNELL:** Just object that it assumes  
23 facts and lacks foundation, and that -- yeah. Calls  
24 for a legal conclusion.  
25 **THE WITNESS:** Let's see, let me read this

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1 referencing this with regard to this regulation.  
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

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1 again very carefully.  
2 I am not aware of anything that's been done  
3 outside of our work product, but -- or I am really, I  
4 am just going to answer I am not aware of anything,  
5 no. Because I keep -- I don't want to mix up the  
6 two, I want to relate my response to the analysis  
7 that's done by managers.  
8 **BY MS. BREMER:**  
9 **Q.** And has your compliance group done anything  
10 to periodically measure the effectiveness of Oracle's  
11 total affirmative action program concerning  
12 compensation?  
13 **MS. CONNELL:** Objection; assumes facts,  
14 lacks foundation, calls for a legal conclusion.  
15 **THE WITNESS:** Not with regard to this --  
16 this regulation.  
17 **BY MS. BREMER:**  
18 **Q.** And are you aware of anyone at Oracle who  
19 has periodically measured the effectiveness of  
20 Oracle's affirmative action program with respect to  
21 Oracle's compensation?  
22 **MS. CONNELL:** Lacks foundation, assumes  
23 facts, calls for speculation, calls for a legal  
24 conclusion.  
25 **THE WITNESS:** And you're -- you're

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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  
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 --

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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.

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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.

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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  
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.

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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 --  
22 BY MS. BREMER:  
23 Q. And in your response to OFCCP's question  
24 about Oracle's pay equity analyses pursuant to the  
25 regulations, you didn't mention managers doing any

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1 pay equity analyses. Correct?  
2 MS. CONNELL: Objection; misstates the  
3 documents.  
4 THE WITNESS: I -- I would have referred  
5 them to -- to the interview, and that was just a  
6 thing. It's not what I referred them to or didn't  
7 refer them to, it's -- that I didn't refer them to  
8 that doesn't mean that it doesn't exist.  
9 BY MS. BREMER:  
10 Q. You didn't mention when OFCCP asked about  
11 Oracle's pay equity analysis under the regulations,  
12 you did not mention managers conducting those pay  
13 equity analyses. Correct?  
14 MS. CONNELL: Objection; misstates the  
15 document.  
16 THE WITNESS: I -- I reference them to Lisa  
17 Gordon's notes of that, and to -- to take a look at  
18 that. That she sent back to them, but -- so --  
19 BY MS. BREMER:  
20 Q. You reference OFCCP to Lisa Gordon's --  
21 A. To their interview with Lisa Gordon.  
22 MS. CONNELL: The question also misstates  
23 the document, which clearly does reference managers.  
24 THE WITNESS: Yeah.  
25 MS. BREMER: Okay. You're not testifying.

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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.  
6 Q. Did Oracle provide OFCCP with any of the  
7 documents requested in this November 2nd, 2015  
8 letter?  
9 MS. CONNELL: Objection; compound and calls  
10 for speculation.  
11 THE WITNESS: Let's see, this is -- yes.  
12 BY MS. BREMER:  
13 Q. So -- what did --  
14 MS. CONNELL: Also insert an objection that  
15 the documents and correspondence exchanged between  
16 the parties speak for themselves, but if you want her  
17 to go through this entire letter and say what she  
18 recalls, she can do that.  
19 Take your time.  
20 MS. BREMER: I'm not going to have her do  
21 that right now.  
22 Q. Okay. Does your group do -- conduct  
23 adverse impact analyses?  
24 MS. CONNELL: Objection; vague.  
25 THE WITNESS: At what time frame?

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1 THE WITNESS: Okay.  
2 MS. CONNELL: Fine. Then I'll restate my  
3 objection. Objection; misstates the document.  
4 BY MS. BREMER:  
5 Q. Okay. And Lisa -- Lisa Gordon's -- the  
6 summary of Lisa Gordon's interview also does not  
7 discuss managers conducting pay equity analyses.  
8 Right?  
9 A. I can't tell you for certain what -- what  
10 is in that interview and what is not.  
11 Q. Does --  
12 A. Yeah. Yeah. And if you look at paragraph  
13 2 of the April 27th e-mail, it talks about the focal  
14 review; it talks about managers reviewing pay data,  
15 so --  
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?

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1 BY MS. BREMER:  
2 Q. Between 2013 and the present.  
3 MS. CONNELL: Objection; vague as to time.  
4 THE WITNESS: Could you give me specific  
5 years? In 2017, yes.  
6 BY MS. BREMER:  
7 Q. Okay. Prior -- prior to 2017, did your  
8 group conduct adverse impact analyses?  
9 A. No.  
10 MS. BREMER: Okay. I'd like to mark as  
11 Exhibit Number 36, an e-mail dated June 16th, 2015,  
12 Bates numbered ORACLE\_HQCA 188.  
13 THE WITNESS: And I do want to say, Laura,  
14 that on the adverse impact we did not do it for every  
15 location prior to 2017. So --  
16 BY MS. BREMER:  
17 Q. Did you do it for -- the adverse impact  
18 analyses, did you conduct adverse impact analyses for  
19 HQCA prior to 2017?  
20 A. Only on -- only under attorney-client work  
21 product of what they requested, so --  
22 (Marked for identification Exhibit 36.)  
23 THE WITNESS: Thank you.  
24 BY MS. BREMER:  
25 Q. Is this a true and correct copy of an

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1 e-mail you sent to Hea Jung Atkins on or about June  
2 16th, 2015?  
3 **A.** Just a second.  
4 Yes.  
5 **Q.** Okay. And if you look at the attachments,  
6 it says "HQCA Compensation Report 6-10-15.xls."  
7 **A.** Yes.  
8 **Q.** Does that indicate that you sent an Excel  
9 spreadsheet to Oracle along with this e-mail?  
10 **A.** You mean to the OFCCP?  
11 **Q.** Yes.  
12 MS. CONNELL: I'll just insert an objection  
13 that there's no attachment to this e-mail.  
14 But you can answer, if you can.  
15 THE WITNESS: I can say that it -- it looks  
16 like that we sent a compensation spreadsheet from the  
17 attachments on this copy.  
18 MS. BREMER: Okay. So this document's  
19 Bates numbered ORACLE\_HQCA 188. That's Exhibit 36.  
20 Now I'd like to mark as Exhibit 37, a  
21 document that was produced in native form that was  
22 Bates stamped ORACLE\_HQCA 189.  
23 (Marked for identification Exhibit 37.)  
24 BY MS. BREMER:  
25 **Q.** Do you recognize this document as an

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1 **Q.** And was this prepared by your group?  
2 **A.** Yes.  
3 **Q.** Did you prepare adverse impact analyses?  
4 **A.** For -- for some groups prior to 2017,  
5 depending.  
6 **Q.** Did you conduct any adverse impact -- so  
7 what was this adverse impact analysis analyzing?  
8 **A.** I'd have to -- I don't remember. I would  
9 imagine it would be hires. It would be the work  
10 flow, because -- I think, or maybe not, let's see. I  
11 believe it would have been a hires analysis. Yeah,  
12 we didn't do -- didn't do compensation adverse  
13 impact, if that's where you're going with this. So  
14 it would have been a hires one.  
15 MS. CONNELL: And just for the record, this  
16 exhibit should be marked confidential.  
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

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1 excerpt of a compensation report with the data that  
2 you had sent to OFCCP?  
3 MS. CONNELL: Just object on the basis that  
4 this is -- appears to be an incomplete copy of  
5 various portions of an Excel spreadsheet -- various  
6 pages of an Excel spreadsheet, but it doesn't appear  
7 to be the complete Excel spreadsheet.  
8 THE WITNESS: Yeah, I recognize this as  
9 part of that.  
10 BY MS. BREMER:  
11 **Q.** Okay. And at the bottom there's -- there's  
12 tabs for -- there's data sheet 6, head count, and  
13 then AI analysis.  
14 Do you see that?  
15 **A.** Yes.  
16 **Q.** Did you routinely conduct adverse impact  
17 analyses when you prepared data for OFCCP?  
18 **A.** No. Not -- not at this time.  
19 **Q.** Okay. Looking at the third page, I'm  
20 sorry, the last page. This is the tab that is  
21 labeled "AI Analysis."  
22 Do you see that?  
23 **A.** Yes.  
24 **Q.** Is this an adverse impact analysis?  
25 **A.** Yes.

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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

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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.  
5 **Q.** Under request number 2, one of the requests  
6 was "Names of schools attended." What did you do to  
7 determine if Oracle had educational information in  
8 its databases?  
9 **A.** We would have had to look up education and  
10 go into each individual's personnel file in order to  
11 do it. Earlier when I started working at Oracle we  
12 tried to pull in educational information into some of  
13 our data sheets, and by looking in the employee  
14 personnel file, not only was the education listed in  
15 there, so in order to -- to get the education, we  
16 would have had to have gone, tried to backtrack  
17 everybody, to see if they applied to a numbered  
18 requisition, and then go back into all of the people  
19 that applied to the requisition for whatever year  
20 they were hired in, and then try and find education  
21 there.  
22 But when we did the -- started looking at  
23 some of these reports that OAL did, at one point we  
24 tried to pull that in, and they said we wouldn't be  
25 able to do so, so it wouldn't provide consistent

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1 information.  
2 **Q.** And my question was what did you do to  
3 determine if Oracle had educational information that  
4 it could provide to OFCCP?  
5 **MS. CONNELL:** Objection; asked and  
6 answered.  
7 **THE WITNESS:** Yeah, I -- I talked to -- I  
8 had talked to OAL before and asked them if there was  
9 any way into these other reports that they could pull  
10 in educational information, and they said no, not  
11 with any accuracy from their records. And in order  
12 to get that educational information, we would have  
13 had to have gone into the personnel files, seen if it  
14 was in there, and/or some kind of document, and in  
15 the personnel files they have attachments, like PDF  
16 attachments and that type of thing, tried to look  
17 through the resume and that, and then if it wasn't in  
18 the resume on those files, then we would have had to  
19 have gone back and tried -- the only other way we  
20 could think of to do it would be to see if there was  
21 a requisition number, which there wasn't for  
22 everybody.  
23 **BY MS. BREMER:**  
24 **Q.** And who at OAL provided you with that  
25 information?

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1 **A.** His -- his first name was Vijay, but I  
2 don't remember his last name.  
3 **Q.** Did you talk to anyone else about providing  
4 educational data to OFCCP?  
5 **A.** No, because I had -- I had tried. It would  
6 have been a manual process. We could have done it,  
7 but it would have had to have been a manual process  
8 to where it would take some time and we would have to  
9 look it up.  
10 **Q.** And you determined that -- and you  
11 determined that based on your conversation with one  
12 person at OAL?  
13 **A.** He was the person that was pulling it, yes,  
14 out of -- out of the records.  
15 **Q.** Okay. Do you now understand that Oracle  
16 does have data regarding the schools attended in its  
17 databases?  
18 **MS. CONNELL:** Objection; lacks foundation.  
19 **THE WITNESS:** No, I don't have a complete  
20 understanding.  
21 **MS. CONNELL:** Let me --  
22 **THE WITNESS:** Oh, sorry.  
23 **MS. CONNELL:** Lacks foundation, assumes  
24 facts not in evidence.  
25 **THE WITNESS:** Yeah, I don't have a complete

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1 understanding of that at all.  
2 **BY MS. BREMER:**  
3 **Q.** Okay. The next -- the third item in the  
4 bullet point is "Prior salary immediately before  
5 joining Oracle."  
6 **A.** Uh-huh.  
7 **Q.** Did you provide this data to OFCCP?  
8 **A.** No.  
9 **Q.** Looking at number 7, it says, "Resubmit the  
10 resume files that were sent on March 26, 2015, in an  
11 easy-to-read format." It says, "The picture format  
12 resumes pasted on MS Word is not legible."  
13 Did you produce resumes to OFCCP that were  
14 pasted into Word?  
15 **A.** Yes. Those were the screenshots that we  
16 took, because there were -- that's what the file  
17 looked like in the HR file. So when we found a  
18 resume, we would do a screenshot and paste it in  
19 there.  
20 **Q.** Did you seek to obtain resumes from OAL?  
21 **A.** OAL, no.  
22 **Q.** Did you produce all of the resumes OFCCP  
23 requested during the audit of HQCA?  
24 **A.** We did for -- for the areas that we  
25 completed. There were -- there were some other areas

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1 that you requested that we told you we could produce  
2 it and we could go in and copy the resumes that we  
3 found within the HR file, but we would need more time  
4 to do it.  
5 **Q.** And that's because it was your  
6 understanding that to pull resumes they'd need to be  
7 manually pulled and then screenshots taken and pasted  
8 into MS Word?  
9 **A.** Yes.  
10 **Q.** Do you now know that this information that  
11 you provided to OFCCP about the format that resumes  
12 could be produced in was not accurate?  
13 **MS. CONNELL:** Objection; assumes facts not  
14 in evidence, lacks foundation, misrepresents the  
15 record.  
16 **You can answer.**  
17 **THE WITNESS:** Yeah, I don't know what you  
18 mean by not accurate. The information we gave you  
19 was accurate. It was from the files.  
20 **BY MS. BREMER:**  
21 **Q.** Do you now have knowledge that Oracle can  
22 pull resumes from its databases?  
23 **MS. CONNELL:** Objection; assumes fact not  
24 in evidence and lacks foundation.  
25 **THE WITNESS:** I -- I don't have firsthand

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1 contact information for all employees at Oracle. And  
2 we were never given an answer on that.  
3 **Q.** Okay. So the -- so you never provided it  
4 because OFCCP didn't respond to your request for a  
5 basis?  
6 **A.** Yes. And because they -- you're asking it  
7 for all current and former employees. You're not  
8 specifying what location. You're not -- you're just  
9 asking for every Oracle employee's contact  
10 information.  
11 **Q.** And you did not provide contact information  
12 to OFCCP for HQCA. Correct?  
13 **A.** Well, you didn't tell us -- you didn't  
14 specify that it was for H -- HQCA in here.  
15 **Q.** Right.  
16 **A.** And we just wanted to know what it was, and  
17 we didn't get a response.  
18 **Q.** And so you were -- so you provided no  
19 contact information for any current or former  
20 employees to OFCCP in response to its request?  
21 **A.** Not until we were waiting for comment from  
22 OFCCP, and so to be able to -- to know what  
23 information to provide, because the request was so  
24 broad.  
25 **Q.** But the answer to my question is, you did

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1 knowledge of that.  
2 **BY MS. BREMER:**  
3 **Q.** Have you heard that Oracle can pull resumes  
4 from its databases?  
5 **MS. CONNELL:** Same objections.  
6 **THE WITNESS:** I heard something that they  
7 could pull some resumes, but not all resumes, and it  
8 would be depending on when the person was hired.  
9 **BY MS. BREMER:**  
10 **Q.** And when did you hear that?  
11 **A.** After -- after conciliation, way after -- I  
12 mean, it was always my belief, based off of what  
13 Arthur Roscoe told me, too, as far as resumes, that  
14 we had to go in and screenshot all of this. And so  
15 probably maybe, I think I was -- I was told that  
16 maybe -- it was after -- after conciliation.  
17 **Q.** Okay. Looking at item 10 --  
18 **A.** Uh-huh.  
19 **Q.** -- which is on the last page, OFCCP  
20 requested contact information. Correct?  
21 **A.** Yes.  
22 **Q.** And Oracle never provided contact  
23 information to OFCCP. Correct?  
24 **A.** We did not. But we asked for the basis of  
25 it, because if you look at it, they're asking for

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1 not provide any contact information in response to  
2 OFCCP's request?  
3 **MS. CONNELL:** Objection; asked and  
4 answered, argumentative.  
5 **BY MS. BREMER:**  
6 **Q.** Go ahead and answer.  
7 **A.** Okay. My answer is that -- and I don't  
8 think it can be answered with a simple "yes" or "no,"  
9 so my answer is no, we did not provide it, but  
10 there's a reason. We had asked for clarification  
11 because of this broad request and we never got it.  
12 **Q.** Okay. Can you turn back to Exhibit 35.  
13 **A.** 35, yeah. Okay.  
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 --

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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.  
15 Q. Okay. I'd like to mark as Exhibit Number  
16 36 --  
17 THE REPORTER: 39.  
18 MS. BREMER: 39, okay.  
19 -- a document Bates stamped DOL 1124  
20 through 1131.  
21 MR. GARCIA: Do you have any other  
22 questions to ask while I find it?  
23 Okay.  
24 (Marked for identification Exhibit 39.)  
25 THE WITNESS: Thank you.

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1 MR. GARCIA: Did you --  
2 MS. BREMER: Yeah, Exhibit Number 40 is a  
3 document Bates numbered ORACLE\_HQCA 4992.  
4 (Marked for identification Exhibit 40.)  
5 THE WITNESS: Thank you.  
6 BY MS. BREMER:  
7 Q. Is this a true and correct copy of an  
8 e-mail that you sent to Hea Jung Atkins on or about  
9 October 28th, 2014?  
10 A. I believe so. I would have to -- this is 4  
11 of 4; is this with the initial submission that we  
12 did?  
13 Q. It looks --  
14 A. I'm trying to -- I'm trying to -- I'm  
15 trying to think; this may be the submission for the  
16 scheduling letter. It looks like it. Do you have  
17 that date?  
18 Q. Yes. Looking back at the scheduling  
19 letter, which was -- it was attached to your  
20 declaration --  
21 A. Yeah.  
22 Q. -- filed in this case, which is Exhibit 19.  
23 A. Yeah, I think it was -- these were  
24 applicant -- the transactions, I believe, that were  
25 submitted with that. Here it is.

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1 BY MS. BREMER:  
2 Q. Is this a true and correct copy of an  
3 e-mail that you received from Hea Jung Atkins of  
4 OFCCP on or about August 26th, 2015?  
5 A. Yes.  
6 Q. And it included or it attached a July 30th,  
7 2015 letter. Correct?  
8 A. Correct.  
9 Q. And this is a true and correct copy of  
10 pages 1128 through 1131 of the letter?  
11 A. Yes.  
12 Q. And you received it on or about August 26,  
13 2015?  
14 A. Yes. Isn't this one of the other ones that  
15 you referenced, I think.  
16 MS. BREMER: Okay. And now I'd like to  
17 mark as Exhibit Number 40, a document Bates labeled  
18 ORACLE\_HQCA 2227 through 229 -- oh, wait. Oh, no,  
19 sorry. No, I want that one.  
20 Okay. Let me ask you with respect to  
21 Exhibit Number 39 Oracle -- or OFCCP made many of the  
22 same requests as in Exhibit 35. Correct?  
23 MS. CONNELL: Objection; the documents  
24 speak for themselves.  
25 MS. BREMER: Okay. Go ahead.

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1 Yeah, these were the transactions  
2 submitted. It was in four e-mails, and so the  
3 transactions were submitted with the scheduling  
4 letter and these go together.  
5 MS. CONNELL: Exhibit 20.  
6 BY MS. BREMER:  
7 Q. So the scheduling letter was sent --  
8 A. On 10/28.  
9 Q. The scheduling letter was sent --  
10 A. Our submission to the scheduling letter,  
11 I'm sorry, I'm being unclear, yeah.  
12 Q. Okay. So Exhibit 40 is Oracle's submission  
13 in response to OFCCP's scheduling letter?  
14 MS. CONNELL: Objection; misstates the  
15 testimony, misstates the document.  
16 THE WITNESS: Yeah, it's the fourth e-mail  
17 in response to the scheduling letter.  
18 BY MS. BREMER:  
19 Q. Okay. And one of the items in the  
20 scheduling letter is item 11?  
21 A. Okay. And which -- which document are you  
22 looking at?  
23 Q. I'm looking at Exhibit 19, the scheduling  
24 letter that's attached as Exhibit A, and it's item  
25 11.

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1 **A.** I'm trying to go as fast as I can, because  
2 I know time's running out.  
3 **Q.** I think you were just looking at the  
4 scheduling letter. Right?  
5 **A.** I looked at the cover, but I didn't look  
6 at -- I looked at the cover that we sent in response  
7 to the scheduling letter, but not -- you said Exhibit  
8 19.  
9 **Q.** It was part of your declaration.  
10 **A.** Okay. That's what it looks like on the  
11 outside? Okay. Thank you. Yes, thank you.  
12 **Q.** And it's Exhibit A, page 4 of 4; item 11 is  
13 "Please provide annualized compensation data, wages,  
14 salaries, commissions, and bonuses." Correct?  
15 **A.** Right.  
16 **Q.** Okay. And if you see, Exhibit 40 contains  
17 an attachment to item 11, HQCA. Was that in response  
18 to the item 11 request in the scheduling letter?  
19 **MS. CONNELL:** Just for the record, there's  
20 nothing attached to Exhibit 40, but you can answer if  
21 you're able to.  
22 **THE WITNESS:** No, this would have been the  
23 transactional data that -- if you're looking at the  
24 files on this sheet, this would have been, let's see,  
25 10(b), 10(b), 10(b) -- if you look at -- at this, it

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1 whole thing. I do know that we supplied all the  
2 other information that he requested. He may have  
3 come back.  
4 **MS. BREMER:** Okay. Let's take a break and  
5 see what --  
6 **THE WITNESS:** I know there's a lot of  
7 documents.  
8 **MS. BREMER:** -- for the last minutes.  
9 **THE VIDEOGRAPHER:** The time -- the time is  
10 6:02 p.m. We're off the record.  
11 (Recessed from 6:02 p.m. until 6:09 p.m.)  
12 **THE VIDEOGRAPHER:** The time is 6:09 p.m.  
13 We are on the record.  
14 **MS. BREMER:** Okay. I'd like to mark as  
15 Exhibit 41 --  
16 **THE REPORTER:** 42.  
17 **MS. BREMER:** -- 42. 42, a document Bates  
18 numbered ORACLE\_HQCA 45 through 54.  
19 (Marked for identification Exhibit 42.)  
20 **BY MS. BREMER:**  
21 **Q.** Okay. Are pages 45 through 54 true and  
22 correct copies of a series of e-mails between you and  
23 Hea Jung Atkins of OFCCP between May 29th, 2015 and  
24 June 10th, 2015, including an attachment?  
25 **A.** What was the question? You were going --

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1 doesn't reference item 11. It's 10, 10(b) -- oh,  
2 item 11 HQC, oh, I see there. Okay. Sorry, I didn't  
3 see that. I believe so. I'd have to see the  
4 document.  
5 **MS. BREMER:** Okay. So I'd like to mark as  
6 Exhibit 41 a document which is at Oracle -- Bates  
7 stamped ORACLE\_HQCA 4997. It's a -- it's a native  
8 file. Right?  
9 **THE REPORTER:** Can I have the document?  
10 **MS. BREMER:** And it's Oracle Item 11 Report  
11 Redwood Shores, California.  
12 **THE WITNESS:** Yeah, I don't have it in  
13 front of me.  
14 **THE REPORTER:** Here you go.  
15 (Marked for identification Exhibit 41.)  
16 **THE WITNESS:** Oh, thank you.  
17 **BY MS. BREMER:**  
18 **Q.** So is this -- is Exhibit 41 an excerpt of  
19 the Item 11 Report you submitted to OFCCP in response  
20 to their request for compensation data?  
21 **A.** This is the first one, yes.  
22 **MS. CONNELL:** Just for the record, this is  
23 just part of it.  
24 **MS. BREMER:** Right. It's an excerpt.  
25 **THE WITNESS:** Yeah, I'd have to see the

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1 **Q.** Is Exhibit 42 a true and correct copy of a  
2 series of e-mails between you and Hea Jung Atkins of  
3 OFCCP between May 29th, 2015 and June 10th, 2015,  
4 including an attachment to the June 10th, 2015  
5 e-mail?  
6 **A.** I believe so.  
7 **Q.** And earlier in the deposition you were  
8 talking about a time study that you conducted  
9 regarding retrieving resumes or applications?  
10 **A.** Yes.  
11 **Q.** Are pages 49 through 54 the document that  
12 you're referring to?  
13 **A.** Yes, these are some of the screenshots that  
14 were done, it looks like from the application system  
15 from the IRC system.  
16 **Q.** So the document that's entitled "Process  
17 Work Flow for Retrieving Applications from our Online  
18 System," this was your explanation of how long it  
19 would take to retrieve --  
20 **A.** Yes.  
21 **Q.** -- applications?  
22 **A.** Yes.  
23 **MS. BREMER:** Okay. I'd like to mark as  
24 Exhibit Number 43, a document Bates stamped  
25 ORACLE\_HQCA 227 through 229.

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1 (Marked for identification Exhibit 43.)  
2 THE WITNESS: Thank you.  
3 BY MS. BREMER:  
4 Q. Is Exhibit 43 a true and correct copy of  
5 e-mails between you and OFCCP sent between August 26,  
6 2015 and October 1st, 2015?  
7 A. I believe so. It looks like it.  
8 MS. CONNELL: I think we're done.  
9 MS. BREMER: Okay. Thank you.  
10 THE WITNESS: It was nice meeting you.  
11 I'm -- too bad you can't -- you should have scheduled  
12 this more towards the weekend and you could have gone  
13 to Sedona, because it's beautiful.  
14 THE REPORTER: Counsel, could I get copy  
15 orders, please.  
16 MS. CONNELL: We'd like a rough and I think  
17 we already did -- and a regular transcript.  
18 MS. BREMER: I think our order has already  
19 been provided to you.  
20 THE REPORTER: Yes. Thank you.  
21 THE VIDEOGRAPHER: This concludes the May  
22 8th, 2019 deposition of Shauna Holman-Harries. The  
23 time is 6:13 p.m. We are off the record.  
24 (Proceedings concluded at 6:13 p.m.)  
25

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1 STATE OF ARIZONA )  
COUNTY OF MARICOPA )  
2  
3 CERTIFICATE  
4 I, ROBIN L. B. OSTERODE, Certified Reporter  
5 for the State of Arizona and Certified Shorthand  
6 Reporter for the State of California certify:  
7 That the foregoing proceeding was taken by  
8 me; that I am authorized to administer an oath; that  
9 any witness, before testifying, was duly sworn to  
10 testify to the whole truth; that the questions and  
11 answers were taken down by me in shorthand and  
12 thereafter reduced to print by computer-aided  
13 transcription under my direction; that the foregoing  
14 pages are a full, true, and accurate transcript of  
15 all proceedings, to the best of my skill and ability.  
16 I FURTHER CERTIFY that I am in no way  
17 related to nor employed by any of the parties hereto,  
18 nor am I in any way interested in the outcome hereof.  
19 DATED this \_\_\_ day of \_\_\_\_\_, 2019.  
20  
21  
22  
23  
24 \_\_\_\_\_  
ROBIN L. B. OSTERODE, CSR, RPR  
CA CSR No. 7750  
AZ CR No. 50695  
25

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