

1 UNITED STATES DEPARTMENT OF LABOR
2 OFFICE OF ADMINISTRATIVE LAW JUDGES
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5 OFFICE OF FEDERAL CONTRACT)
6 COMPLIANCE PROGRAMS, UNITED)
7 STATES DEPARTMENT OF LABOR,)
8)
9 Plaintiff,) OALJ Case
10) No. 2017-OFC-00006
11 vs.) OFCCP
12) No. R001926999
13 ORACLE AMERICA, INC.,)
14 Defendant.)
15 _____)
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18 VIDEOTAPED DEPOSITION OF TAMERLANE BAXTER
19 July 3, 2019
20 San Francisco, California
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24 Stenographically Reported by:
25 GINA V. CARBONE, CSR, RPR, RMR, CRR, CCRR
California State Lic. No. 8249
Job No. 190703GCB

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1 A P P E A R A N C E S
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1	INDEX OF EXHIBITS (continued)	
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4	from Chad Zeller to [REDACTED]	
5	Park dated May 10, 2016, Bates	
6	ORACLE_HQCA_0000416517	
7	EXHIBIT 99 An email string, top email	151
8	from Chad Zeller to [REDACTED]	
9	[REDACTED] dated September 1, 2017,	
10	Bates ORACLE_HQCA_0000547809 -	
11	ORACLE_HQCA_0000547810	
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1 SAN FRANCISCO, CALIFORNIA; WEDNESDAY, JULY 3, 2019
2 8:57 A.M.
3 THE VIDEOGRAPHER: All right. Good
4 morning, ladies and gentlemen. This begins volume 1
5 in the deposition of Tamerlane Baxter in the matter
6 of Office of Federal Compliance Programs,
7 U.S. Department of Labor versus Oracle America, Inc.
8 It's being held in the United States Department of
9 Labor, Office of Administrative Law Judges. Case
10 number is 2017-OFC-00006.
11 Today's date is July 3rd, 2019. Time on
12 the record is approximately 8:57 a.m. My name is
13 Frank Quirarte. I'm your legal videographer here
14 with our court reporter, Gina Carbone. We're both
15 from Gradillas Court Reporters.
16 This video deposition is taking place at
17 90 7th Street in San Francisco, California and was
18 noticed by the plaintiff.
19 At this time will counsel and all present
20 please identify yourselves for the record.
21 MS. BREMER: Hi, my name is Laura Bremer.
22 I'm with the Department of Labor.
23 MR. GARCIA: Norm Garcia for OFCCP.
24 MR. PARKER: Warrington Parker for Oracle.
25 MS. REYZIS: Yekaterina Reyzis for Oracle.

9

1 can recall was more than five years ago.
2 Q. Do you recall the employees involved in
3 those cases?
4 A. No, I do not.
5 Q. And what was the subject matter? What did
6 it -- did it relate to compensation -- employee
7 compensation, for example?
8 A. Not directly. It was related to a dispute
9 over severance, in a severance plan from a company
10 we acquired, if I'm recalling correctly.
11 Q. Okay. So if you've had your deposition
12 taken before, you understand that your testimony
13 today is under oath --
14 A. Yes.
15 Q. -- and it's subject to the penalty of
16 perjury if you don't tell the truth.
17 A. Yes.
18 Q. The court reporter will be transcribing my
19 questions and your answers, so that means it's
20 important for you to wait until I finish asking my
21 question before you start your answer, and I will
22 try to wait until you finish your answer before I
23 ask another question.
24 Is that fair?
25 A. Very -- very much so.

11

1 THE VIDEOGRAPHER: Madam Court Reporter,
2 will you please swear in the witness.
3 TAMERLANE BAXTER,
4 the Witness herein, having been first duly sworn,
5 testified as follows:
6
7 EXAMINATION BY MS. BREMER
8 BY MS. BREMER:
9 Q. Would you please state your name for the
10 record.
11 A. Sure. My name is Tamerlane Baxter. I go
12 by Timi.
13 Q. Thank you. Have you ever had your
14 deposition taken before?
15 A. Yes.
16 Q. How many times?
17 A. Couple. Once or twice.
18 Q. In what types of cases?
19 A. I don't even remember. Regarding
20 employee -- employee issues.
21 Q. So was it for -- on behalf of Oracle?
22 A. Yes.
23 Q. And how recent were those depositions
24 taken?
25 A. Not very recent. Probably the last one I

10

1 Q. Okay. And it also means that you should
2 answer audibly, as you have been doing, not nodding
3 your head or saying uh-huh or huh-uh. Okay?
4 A. Yes.
5 Q. If you don't understand one of my
6 questions, please ask me to clarify the question,
7 otherwise I'll assume that you understood.
8 Is that fair?
9 A. That's fair.
10 Q. Answer each question to the best of your
11 ability. I'm entitled to your best estimate, but
12 don't just guess.
13 Do you understand the difference?
14 A. Yes.
15 Q. After the deposition, the court reporter
16 will produce a formal transcript. You'll have a
17 chance to review and correct the transcript. I will
18 have a chance to comment on any changes that you
19 make at trial. So it's important that you give your
20 best testimony today.
21 Do you understand?
22 A. Yes.
23 Q. Is there any reason we can't proceed today?
24 A. No.
25 MS. BREMER: So I'd like to mark as

12

1 Exhibit No. 93 OFCCP's Amended Notice of Deposition
2 and Demand for the Designation of Rule 30(b)(6)
3 Deponent Regarding Topics 31 and 32.
4 (Whereupon, Exhibit 93 was marked for
5 identification.)
6 (Discussion off the record.)
7 BY MS. BREMER:
8 Q. Go ahead and take a look at --
9 A. Oh, sure.
10 Q. -- at the exhibit.
11 Have you seen this document before?
12 A. This exact document?
13 Q. Have you seen a copy of this document
14 before?
15 A. I don't believe so. I've seen something
16 with these -- the 31 and 32 listed, though. I think
17 it was a slightly different document than this.
18 Q. Okay. So it lists two topics for
19 deposition, No. 31 and 32. Do you see that?
20 A. I do.
21 Q. Is it your understanding that you are going
22 to testify on behalf of Oracle regarding these two
23 topics of deposition?
24 A. It is.
25 Q. And what did you do to prepare for your --

13

1 A. Just our internal policy documents.
2 Q. Internal policy --
3 A. Internal to Oracle -- I'm sorry. I didn't
4 mean to interrupt you.
5 Q. "Policy documents," you said. Internal
6 policy documents?
7 A. Yes.
8 Q. Anything else?
9 A. No.
10 Q. Did you review any documents related to
11 specific investigations of complaints?
12 A. Yes.
13 MR. PARKER: Vague and ambiguous.
14 BY MS. BREMER:
15 Q. Any other types of documents that you
16 reviewed?
17 MR. PARKER: These are all related to her
18 preparation as a 30(b)(6)?
19 MS. BREMER: Yes.
20 MR. PARKER: Okay.
21 THE WITNESS: I reviewed our employee
22 handbook so, again, policy -- employee policy
23 document and some particular complaints. Some
24 documents regarding some particular complaints, yes.
25 What else? Some training materials. I'm

15

1 for today's deposition?
2 A. Met with our attorneys.
3 Q. And which attorneys?
4 A. Warrington Parker.
5 Q. Anyone else?
6 A. Katie, whose last name is escaping me at
7 this moment.
8 Q. Anyone else?
9 A. No.
10 Q. And when did you meet with them?
11 A. Yesterday, as well as about a week ago, on
12 Friday.
13 Q. And how long did you meet with them?
14 A. Altogether?
15 Q. Yes.
16 A. Maybe four hours, five hours at the most.
17 Q. Have you reviewed any documents to prepare
18 for today's deposition?
19 A. Yes.
20 Q. And what documents -- or did any of the
21 documents help you refresh your recollection or
22 remember what had occurred?
23 A. No.
24 Q. What type of documents did you review for
25 today's deposition?

14

1 just thinking if there was anything else that we
2 reviewed. I think that covers it.
3 BY MS. BREMER:
4 Q. What's your highest educational degree?
5 A. I have a high school diploma and some
6 college. But not a degree.
7 Q. And what college were you attending?
8 A. Cal State Northridge, California.
9 Q. Did you have a major?
10 A. Gosh. You're asking me for historic
11 information. I have to think hard about this.
12 I think originally I was a poli sci major,
13 but --
14 Q. And how many years of college did you
15 complete?
16 A. I'm not sure without looking at my records.
17 Q. Was it more than a year?
18 A. More than a year.
19 Q. And you're not a lawyer?
20 A. No, I am not.
21 Q. When did you start working at Oracle?
22 A. It was July 1st, 2005.
23 Q. And when did you attend college?
24 A. 1984 and '5.
25 Q. Can you give me a brief summary of your

16

1 employment between college and going to work for
2 Oracle?
3 **A.** All of it? Okay.
4 **Q.** Brief summary.
5 **A.** Brief summary. Okay.
6 So I was in college in 1984, '85. I began
7 working in the real estate industry, obtained a real
8 estate license, and for about -- until about 1990 --
9 I'd say the early '90s, I did construction
10 management, asset management, property assets
11 management, and real estate transaction work for
12 real estate developers, a couple of different ones.
13 That was in Southern California.
14 In 1997 I relocated to the Bay Area,
15 California, San Francisco Bay Area, and started
16 working at a startup doing a variety of things,
17 office manager sort of role. Did that for a couple
18 of startups before I came to work for Oracle. And
19 around 1999 really focused my career on human
20 resources specifically.
21 **Q.** And what -- what startups did you work for
22 before going to work for Oracle?
23 **A.** The first one was a company called
24 PeopleScape, which no longer exists.
25 The second one, I had a short stint as

17

1 **Q.** And how long were you in that role?
2 **A.** Nine and a half years.
3 **Q.** What was your next position at Oracle?
4 **A.** The position I hold now. I'm still in HR,
5 but I have a different focus. I manage workplace
6 investigations as well as some other
7 compliance-related activities. HR -- non-HR audit
8 activity that involves HR information. I'm also the
9 HR manager for HR.
10 **Q.** The HR manager for HR. What does that
11 mean?
12 **A.** We have a very large HR organization at
13 Oracle, and those people also need HR support, so I
14 am their HR person. So if you were a manager who
15 worked in HR, you would reach out to me if you
16 needed HR support. Partnership on strategic
17 initiatives, things like that.
18 **Q.** And what is the official title of your
19 position?
20 **A.** Senior director human resources.
21 **Q.** What -- what's the global career level for
22 that position?
23 **A.** M5.
24 **Q.** And what year did you start in your
25 position as senior director of HR?

19

1 running HR for a company called Apexon, A-P-E-X-O-N.
2 I don't know if they still exist or not.
3 And then from about -- trying to remember
4 the dates, but prior -- right prior to coming to
5 Oracle, I worked for a company called TimesTen
6 software. That company was acquired by Oracle. I
7 worked for them for about four years prior to coming
8 for -- so it must have been the early 2000s that I
9 worked for them, running HR for them, until I came
10 to work at Oracle.
11 **Q.** So you came to Oracle through that
12 acquisition?
13 **A.** Yes.
14 **Q.** And what was your job in 2005 when you
15 first started working for Oracle?
16 **A.** Initially my role was in our mergers and
17 acquisitions organization within HR.
18 **Q.** And what did you do for the mergers and
19 acquisitions?
20 **A.** We -- in HR, we work on all parts of the
21 transactions, basically from diligence all the way
22 through integration. So anything with regard to HR
23 topics or activities I would be involved in with
24 regard to that company -- those companies we were
25 acquiring.

18

1 **A.** I was a senior director before I left the
2 M&A role. So I've been in this role since 2014,
3 late '14. So I would say probably since 2012. My
4 best recollection.
5 **Q.** So if I'm understanding you, you've been a
6 senior director of HR since 2012, but your role with
7 respect to workplace investigations has been just
8 since late 2014?
9 **A.** That's correct.
10 **Q.** And who handled workplace investigations at
11 Oracle between January 1st, 2013 until the time that
12 you started in that role?
13 **A.** Workplace investigations were handled by HR
14 business partners, as they are today. We've just
15 added some dedicated resources.
16 **Q.** So your position is a new position?
17 **A.** It was a new position when I took it four
18 years ago. Parts of it. Let me just clarify --
19 sorry, I didn't mean to interrupt you.
20 **Q.** Go ahead.
21 **MR. PARKER:** No, you should go on and
22 clarify.
23 **THE WITNESS:** Okay. So part of my job was
24 a new role, right? The part that pertains to
25 managing our dedicated resources around employee and

20

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

21

1 we -- since we hired -- I'll say since we created
2 the team, my team, some are new hires to Oracle;
3 some were internal transfers from the HR business
4 partner community. Both groups do conduct -- have
5 and do conduct investigations.
6 BY MS. BREMER:
7 Q. Prior to September 2014, how many HR
8 business partners did Oracle have who conducted
9 investigations of complaints?
10 A. I don't know.
11 Q. Do you know approximately how many?
12 A. Are you asking me specifically to a time
13 frame or location?
14 Q. I'm -- okay. Who would investigate
15 complaints at Oracle's headquarters between January
16 1st, 2013 and September 2014?
17 A. I don't know the exact number. I would
18 be -- it would be hard for me to estimate that.
19 Q. Okay. And when you began hiring -- or when
20 Oracle began hiring HR professionals who were
21 dedicated full time to HR -- to human resources
22 investigations, how many people did it hire?
23 MR. PARKER: Vague as to time.
24 THE WITNESS: At what time?
25

23

1 working as an HR professional overseeing -- or
2 working with the HR professionals that were
3 dedicated full time to the HR investigations?
4 A. I started working on the -- that function,
5 if you will, that area of work in, I want to say,
6 September, it was probably the fall of 2014, and we
7 hired -- we actually hired people March 1st of 2015,
8 the first hires that I made.
9 Q. And for the workplace investigations that
10 were done by HR professionals and have always been
11 done at Oracle, what's the title of the people who
12 conducted those -- those investigations?
13 MR. PARKER: Compound and vague as to time.
14 THE WITNESS: Are you asking -- so HR
15 business partners, to be specific, sometimes also
16 referred to as HR consultants at Oracle, and I
17 specifically conduct investigations, have conducted
18 investigations and still do.
19 BY MS. BREMER:
20 Q. Okay. So investigations can either be
21 conducted by the HR business partners and, since
22 September of 2014, could also be conducted by your
23 team?
24 MR. PARKER: Misstates the testimony.
25 THE WITNESS: It is -- it is true that

22

1 BY MS. BREMER:
2 Q. I said when you began hiring.
3 A. When I began hiring?
4 MR. PARKER: Vague as to time.
5 BY MS. BREMER:
6 Q. When Oracle -- okay.
7 In September 2014, how many HR
8 professionals were dedicated full time to HR
9 investigations?
10 A. None.
11 Q. Okay. And then Oracle began hiring people,
12 right, for that role?
13 A. Oracle -- I, as the manager of that group,
14 began to look at what resources would be required to
15 build the team --
16 Q. Okay. And --
17 A. -- in that -- at that time.
18 Q. Okay. And you began hiring people in March
19 of 2015?
20 A. Specifically, the first hires, there were
21 two external hires and two brand-new hires to Oracle
22 who started working for me in this capacity March
23 1st of 2015.
24 Q. And who were those people?
25 A. The two internal transfers would be Karima

24

1 Kassam.
2 Would you like me to spell the names?
3 THE REPORTER: That would be great.
4 THE WITNESS: Karima, K-A-R-I-M-A, Kassam,
5 K-A-S-S-A-M.
6 THE REPORTER: Thank you.
7 THE WITNESS: The other internal transfer
8 was Sabreen, S-A-B-R-E-E-N, Sidhu, S-I-D-H-U.
9 I also hired two external HR
10 professional -- you know, HR professionals outside
11 of the company, Nicole, N-I-C-O-L-E, Lurie,
12 L-U-R-I-E, and Michelle, Michelle, two Ls,
13 M-I-C-H-E-L-L-E, N-O-F-E-R, Nofer.
14 BY MS. BREMER:
15 Q. And how many people do you have working
16 full time on HR investigations now?
17 A. As of today?
18 Q. Yes.
19 A. Five. Not including myself.
20 Q. And who are those people?
21 A. Specifically the four that I just named,
22 plus Mark, M-A-R-K, Lane, L-A-N-E.
23 Q. Did the people that you hired have prior
24 experience with conducting investigations of HR
25 complaints?

25

1 A. Yes. They do. You're speaking
2 specifically about these five individuals who
3 conduct workplace investigations?
4 Q. Yes.
5 A. Yes, they do.
6 Q. And what is their global career level?
7 MR. PARKER: Compound.
8 THE WITNESS: Are you -- of whom?
9 BY MS. BREMER:
10 Q. Do -- well, do they have different global
11 career levels?
12 A. Yes.
13 Q. Okay. Could you tell me what they are for
14 each person that you've mentioned?
15 A. You're talking specifically around the five
16 people --
17 Q. Yes.
18 A. -- that are dedicated?
19 Q. Yes.
20 A. Based on my recollection, without looking
21 it up, I believe they are all IC4, except for
22 Sabreen, who I believe is an IC3.
23 Q. Does anyone else report to you other than
24 these five individuals that we've just talked about?
25 A. Anyone at all?

27

1 A. Yes.
2 MR. PARKER: Compound.
3 (Reporter clarification.)
4 BY MS. BREMER:
5 Q. And what was their educational background?
6 MR. PARKER: Compound.
7 THE WITNESS: I don't know that I could
8 recite anyone's specific educational background off
9 the top of my head.
10 BY MS. BREMER:
11 Q. Are any of them lawyers?
12 A. One of them is a lawyer, yes.
13 Q. And who is that?
14 A. Michelle Nofer.
15 Q. Is there a minimum educational
16 qualification for that job?
17 A. I'm sorry, repeat your question.
18 Q. Is there a minimum educational requirement
19 for that job?
20 A. For which job?
21 Q. The job of HR professional that's dedicated
22 to the HR investigations.
23 A. No.
24 Q. And do those HR professionals report
25 directly to you?

26

1 Q. Yes.
2 A. Or -- yes.
3 Q. And what roles are those people in?
4 A. There are a couple of different capacities
5 that I also -- couple of different areas that I
6 cover. Those folks report to me.
7 One group is doing non -- I call them
8 non-HR audits, so these would be commercial audits
9 where there is an HR component. There's one
10 full-time person and one part-time person doing that
11 work.
12 And then I have a manager who reports to me
13 with two direct reports, and they work primarily
14 on -- that team works primarily on our compliance
15 education training programs -- program, and the
16 manager has other projects that she works on. I
17 think that's everybody.
18 Q. And who is the manager that conducts the
19 compliance education training?
20 A. I didn't say that she conducts it.
21 Q. Oh. She just -- she prepares it?
22 A. No.
23 Q. Okay. Can you explain what she does with
24 respect to the compliance educational training?
25 A. Specifically the manager?

28

1 Q. Yes.
2 A. She's the program manager for our global
3 compliance training program, so she is responsible
4 for the HR part of that. We generally do the
5 administration, like, more operations and
6 enforcement piece.
7 Q. Okay. And what is that manager's name?
8 A. Susan Cort, C-O-R-T.
9 Q. Okay. And who do you report to?
10 A. Vickie Thrasher, T-H-R-A-S-H-E-R.
11 Q. How much of your time would you say is
12 spent in your role overseeing investigations of
13 complaints as opposed to these other facets of your
14 job?
15 A. It varies.
16 Q. Like, on average, how much?
17 MR. PARKER: Vague and ambiguous. Vague as
18 to time.
19 THE WITNESS: My best answer is it really
20 varies depending on what is going on in each of the
21 areas that I oversee.
22 BY MS. BREMER:
23 Q. Who is -- do you or anyone on your team
24 interface with Oracle's legal department regarding
25 complaints?

29

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

31

1 A. Can you repeat that question?
2 Q. Do you or anyone on your team interface
3 with Oracle's legal department regarding complaints?
4 MR. PARKER: So this is outside the scope
5 of the 30(b)(6) topics. It's compound, and it's
6 vague as to time.
7 MS. BREMER: I don't think it's outside the
8 scope.
9 MR. PARKER: It definitely is. The scope
10 is discrimination and in pay discrimination, and
11 your question is not limited to that. It's using
12 the term "complaints."
13 BY MS. BREMER:
14 Q. Okay. Does anyone on your team or you
15 interface with Oracle's legal department regarding
16 complaints of discrimination between 2013 and the
17 present?
18 A. Are you asking me specifically about the
19 investigations part of my team?
20 Q. Yes.
21 A. Yes.
22 Q. Okay. Who, in legal, do you interface with
23 with respect to discrimination complaints?
24 MR. PARKER: Vague as to time. And "you"
25 is plural or singular in that sentence? Because the

30

1 the legal department that you would discuss
2 complaints of discrimination with if it pertains to
3 headquarters?
4 A. It would depend on the nature of a
5 particular -- I can't answer in the abstract who we
6 might speak to. It would depend on the nature of
7 the allegations or claim.
8 Q. Okay. If it's a complaint -- is there a
9 particular person in the legal department who you
10 would communicate with regarding a complaint of
11 compensation discrimination at headquarters?
12 A. No.
13 Q. And what about gender discrimination?
14 A. No.
15 Q. Race discrimination?
16 A. No.
17 Q. Okay. So it's not one person, but who are
18 the -- who are the people that you would communicate
19 with regarding those types of claims, the three that
20 I just mentioned?
21 A. I cannot answer, again, in the abstract
22 about what we might do in a given case about those
23 topics. It would depend on the nature of the claim
24 or allegation.
25 MR. PARKER: I think she just wants the

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1 names of the people who fall into that category.
2 MS. BREMER: Right.
3 MR. PARKER: Not who you would go to
4 specifically.
5 THE WITNESS: Okay.
6 MR. PARKER: I think it's more of a general
7 question, like --
8 THE WITNESS: Okay.
9 MR. PARKER: -- who could possibly be the
10 person you walk in and say, "Listen, we have a
11 complaint," or something like that. Is that
12 accurate?
13 MS. BREMER: Yes.
14 THE WITNESS: Okay. As it pertains to
15 workplace investigations or complaints by employees;
16 is that correct?
17 MR. PARKER: Yes. That's her question.
18 MS. BREMER: Yes.
19 THE WITNESS: It could be -- we could talk
20 with Emily Sullivan, we could speak with Jenny
21 Cotner -- oh, forgive me, would you like me to spell
22 the names? Emily, E-M-I-L-Y, Sullivan,
23 S-U-L-L-I-V-A-N; Jenny, J-E-N-N-Y, Cotner,
24 C-O-T-N-E-R; Matt, M-A-T-T, Feiner, F-E-I-N-E-R;
25 Sarah Wilson, Sarah with an H, and Wilson,

33

1 Q. Does your team of HR -- what do you call
2 them? What's the best term to use to describe the
3 people who are in your group that are doing --
4 conducting the investigations?
5 A. I think for this purpose you could refer to
6 them as the HR investigators. That's fine.
7 Q. Okay. Does Oracle's HR investigators work
8 with anyone else in the course of investigating
9 complaints?
10 MR. PARKER: Vague and ambiguous.
11 BY MS. BREMER:
12 Q. For example, like, people in Oracle's
13 compliance group?
14 MR. PARKER: Vague and ambiguous.
15 THE WITNESS: Who we might work with on any
16 given case, I couldn't say. It would depend on the
17 nature of that case.
18 BY MS. BREMER:
19 Q. How does Oracle inform employees about how
20 to make a complaint?
21 MR. PARKER: Is this related to -- just so
22 we -- I want to just -- she can't speak globally,
23 and so I think that's going to be the objection, and
24 I don't think you actually intend to go and do that.
25 MS. BREMER: No.

35

1 W-I-L-S-O-N; or Juana, J-U-A-N-A, Schurman,
2 S-C-H-U-R-M-A-N.
3 BY MS. BREMER:
4 Q. Does your group ever communicate directly
5 with Dorian Daley regarding complaints of
6 discrimination at headquarters?
7 MR. PARKER: Vague and ambiguous.
8 THE WITNESS: Could you repeat the
9 question, please?
10 BY MS. BREMER:
11 Q. Does your group ever communicate directly
12 with Dorian Daley regarding complaints of
13 discrimination at Oracle's headquarters?
14 MR. PARKER: Same objection.
15 THE WITNESS: My group? Could you be more
16 specific when you say my group?
17 BY MS. BREMER:
18 Q. You, you or the HR professionals that are
19 handling the investigations.
20 A. Do -- so if I understand your question, you
21 want to know if I or any of my team talk with Dorian
22 Daley about claims of?
23 Q. Discrimination complaints, investigations
24 of discrimination.
25 A. Not that I can recall.

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1 Q. Through this deposition -- throughout this
2 deposition, I'm going to be asking questions about
3 complaints and investigations. I really am focused
4 on Oracle's headquarters in this case, and I'm not
5 talking about what happens in Europe, et cetera.
6 Okay? Do you understand?
7 A. I do understand.
8 Q. Okay.
9 A. So would you repeat the question?
10 Q. Yes.
11 How does Oracle inform employees at its
12 headquarters about how to make a complaint?
13 A. All employees at headquarters are provided
14 that information when they are hired and then during
15 our annual training.
16 Q. And what is the annual training that you
17 are referring to?
18 A. Global compliance training that we run
19 annually.
20 Q. And is that a required training?
21 A. Yes.
22 Q. And who is required to attend the global
23 compliance training annually?
24 A. Everyone.
25 Q. All the way to the very top executives?

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1 A. That's correct.
2 Q. And what are the topics covered by the
3 global compliance training?
4 A. Are you asking specific to a time frame?
5 Q. 2013 through the present, has it changed?
6 A. It can -- yes, it has changed. We -- so
7 let me back up.
8 New employees, as well as acquired
9 employees, take the training on all of the topics
10 and so they're trained on how to file a complaint.
11 And then when we -- we train on a variety
12 of those topics annually. It always includes
13 information about how to file a complaint in
14 multiple spots within the different training topics.
15 MS. BREMER: I'm going to mark as
16 Exhibit 94 a document Bates numbered
17 ORACLE_HQCA_381043. It's an email from Dorian Daley
18 to Corporate Broadcast.
19 (Whereupon, Exhibit 94 was marked for
20 identification.)
21 BY MS. BREMER:
22 Q. Have you seen this document before?
23 A. Yes.
24 Q. Is this a true and correct copy of an email
25 sent from Dorian Daley to -- who is the Corporate

37

1 discrimination?
2 A. Repeat your question.
3 Q. Is Oracle's Integrity Helpline one method
4 that employees can use to make complaints regarding
5 discrimination?
6 A. Yes.
7 Q. And if employees had concerns that their
8 compensation -- concerns about compensation
9 discrimination, they could call the Oracle's
10 Integrity Helpline?
11 A. Yes, they could.
12 Q. And how would employees know that that was
13 an appropriate question for the Oracle Integrity
14 Helpline?
15 MR. PARKER: Vague and ambiguous.
16 THE WITNESS: Could you repeat the
17 question?
18 BY MS. BREMER:
19 Q. How would employees know that that was an
20 appropriate question or complaint to make to the
21 Oracle Integrity Helpline?
22 MR. PARKER: Same objections.
23 THE WITNESS: I don't think I can answer
24 that question. I'm not sure I understand what you
25 mean.

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1 Broadcast group, by the way?
2 A. When you see Corporate Broadcast, my
3 understanding is that means every employee in the
4 entire company would get this email.
5 Q. Okay. So is this a true and correct copy
6 of an email that Dorian Daley sent to all employees
7 at Oracle on or about June 27th, 2013?
8 A. I don't know.
9 Q. Okay. When have you seen this document?
10 A. So I don't know that I've seen this exact
11 document. Dorian sends out regular communications
12 about a variety of things, including -- I have seen
13 something like this before. Yes. Whether she sent
14 it on June 27th, 2013, I don't recall.
15 Q. But this appears to be the type of
16 communication that she would have sent?
17 A. Yes.
18 Q. This document, it's a reminder to use
19 Oracle's Integrity Helpline to ask compliance or
20 ethics questions and report suspected unethical
21 business conduct.
22 Do you see that?
23 A. Yes.
24 Q. Is Oracle's Integrity Helpline one method
25 that employees can use to make a complaint regarding

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1 BY MS. BREMER:
2 Q. If you look at -- this document says, "You
3 may ask questions or raise concerns regarding --
4 relating to any subject concerning compliance and
5 ethics," and then it gives a list of options or
6 examples.
7 Do you see that?
8 A. Yes.
9 Q. And discrimination does not seem to be on
10 that list, correct?
11 A. I do not see discrimination called out on
12 that list, no.
13 Q. Is there -- do you know if Oracle has given
14 information to employees where they specifically
15 say, "If you have a complaint regarding
16 discrimination, you can contact the Oracle's
17 Integrity Helpline"?
18 A. Can you be more specific? You're asking me
19 if -- about Oracle as a whole?
20 Q. I'm talking about related to the employees
21 at Oracle's headquarters.
22 A. You want -- okay. So repeat your question.
23 At headquarters do we do what?
24 Q. Has Oracle given information to employees
25 specifically providing them information of where to

40

1 make a complaint regarding discrimination?
2 **A.** Yes.
3 **Q.** Okay. And where would that be?
4 **A.** Employees at headquarters are trained when
5 they're hired, as well as in our annual training, on
6 the topic and where to file a complaint -- how and
7 where they can file complaints.
8 **Q.** And is there a description of -- is
9 discrimination specifically identified as one of the
10 things that they can make a complaint about?
11 **A.** I don't -- I don't think I can answer that
12 question the way it's phrased.
13 **MS. BREMER:** I'm going to mark as
14 Exhibit 95 a document entitled "Oracle Integrity
15 Helpline," and it's Bates numbered
16 ORACLE_HQCA_381138 through 41.
17 (Whereupon, Exhibit 95 was marked for
18 identification.)
19 **BY MS. BREMER:**
20 **Q.** Have you seen this document before?
21 **A.** Yes.
22 **Q.** And what is it?
23 **A.** It is a description of Oracle's Integrity
24 Helpline.
25 **Q.** And is this from Oracle's website?

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1 to find it?
2 **BY MS. BREMER:**
3 **Q.** Do you work with -- does your team have any
4 communications with the people who are getting
5 complaints from Oracle's Integrity Helpline?
6 **MR. PARKER:** It assumes facts and is vague
7 and ambiguous.
8 **THE WITNESS:** Could you repeat your
9 question?
10 **BY MS. BREMER:**
11 **Q.** What is -- what are the sources of
12 information about complaints that your group gets?
13 **MR. PARKER:** Vague and ambiguous. It's not
14 limited to the topics, so as phrased, it would be
15 outside of the 30(b)(6).
16 **BY MS. BREMER:**
17 **Q.** Okay. So if there's -- okay. Let me limit
18 it again to discrimination complaints.
19 What are the sources of your team's
20 receiving information that there's been a complaint
21 about discrimination at Oracle's headquarters?
22 **MR. PARKER:** Vague and ambiguous.
23 **THE WITNESS:** Can you repeat the question?
24 **MR. PARKER:** I think she's asking, how do
25 you get complaints? How do complaints come to your

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1 **A.** We do have a document like this on our
2 website, yes.
3 **Q.** What is EthicsPoint?
4 **A.** EthicsPoint is a product that's from a
5 company called NAVEX Global, so a third party to
6 Oracle.
7 **Q.** And how does Oracle -- does Oracle contract
8 with EthicsPoint or NAVEX Global?
9 **A.** Yes.
10 **MR. PARKER:** Calls for speculation.
11 **BY MS. BREMER:**
12 **Q.** And what is -- is EthicsPoint -- so if I --
13 if I understand it, then, Oracle uses a third-party
14 vendor for its complaint help line?
15 **MR. PARKER:** Vague and ambiguous.
16 **THE WITNESS:** I don't know. Repeat your
17 question, please.
18 **BY MS. BREMER:**
19 **Q.** So if someone -- if an employee calls -- an
20 employee from Oracle's headquarters calls Oracle's
21 Integrity Helpline, who answers the phone?
22 **A.** I don't know.
23 **MR. PARKER:** It assumes facts.
24 **THE WITNESS:** Yeah. I believe it covers
25 that in this document somewhere. Would you like me

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

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1 THE VIDEOGRAPHER: We're going off the
2 record. The time is 9:54 a.m. This marks the end
3 of media No. 1.
4 (Recess taken.)
5 THE VIDEOGRAPHER: We're back on the
6 record. The time is 10:03 a.m. This marks the
7 beginning of media No. 2.
8 MR. PARKER: I think that Ms. Baxter --
9 there was a question she said she did not
10 understand, and I think there's been clarity
11 provided. She can answer. Respond.
12 THE WITNESS: Specifically you were asking
13 me about how do employees know that they could use
14 the Integrity Helpline to file a complaint of
15 discrimination. We do cover ways to make a
16 complaint when we train on discrimination, including
17 the Integrity Helpline.
18 BY MS. BREMER:
19 Q. And when do you train on discrimination?
20 A. In our new employee training and then in
21 our annual training program.
22 Q. And do you specifically tell employees --
23 or what do you tell employees during those trainings
24 about making complaints specifically related to
25 discrimination?

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1 A. I wouldn't be able to recite what the
2 training says specifically.
3 Q. But just generally.
4 A. The training covers our policies on
5 discrimination, and it also includes how you file a
6 complaint, and that would include complaints of
7 discrimination.
8 Q. So it covers both of those topics. Is
9 it -- is discrimination given as an example of the
10 types of things that employees could call the
11 Integrity Helpline about?
12 MR. PARKER: Vague and ambiguous.
13 THE WITNESS: I don't know the answer to
14 that.
15 BY MS. BREMER:
16 Q. What are the topics covered in the new
17 employee training?
18 A. There are a lot of things covered in new
19 employee training. Are you asking about something
20 specific?
21 Q. The compliance training that you mentioned
22 previously.
23 A. It also covers a variety of topics for new
24 hires. Is there something specific you're asking
25 about?

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1 Q. Is there compliance -- does the compliance
2 training cover pay discrimination?
3 A. I don't know. It covers the topic of
4 discrimination. I can tell you that. But I don't
5 have it memorized.
6 Q. How long is the new employee training?
7 A. As long as -- oh, how long in duration?
8 Q. Yes.
9 A. Oh, I believe it is between three and four
10 hours of training in total, unless you're -- and
11 we're talking specifically about headquarters again,
12 correct?
13 Q. Yes.
14 A. -- unless you're a people manager. People
15 managers have an additional two hours of training in
16 the new hire program.
17 Q. And how long is the, in duration, is the
18 annual training?
19 A. It varies.
20 Q. And what does it -- why does it vary?
21 A. It covers a variety of topics, and the
22 duration of each module can be slightly different
23 year over year.
24 Q. And does the annual training cover pay
25 discrimination?

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1 A. As you're asking me about a specific year
2 or a specific part of the training? Or just --
3 Q. Any -- I guess in any year from 2013 to the
4 present.
5 A. I don't know if the annual training calls
6 out pay discrimination specifically. We do -- it
7 does cover discrimination of all forms.
8 Q. So looking back at Exhibit 95 --
9 A. Uh-huh.
10 Q. -- which discusses Oracle's Integrity
11 Helpline, if you see at the bottom there's a date,
12 October 28th, 2018?
13 A. Uh-huh.
14 Q. Do you know if there's been -- if Oracle's
15 Integrity Helpline has been in effect or operational
16 since 2013?
17 A. I believe so, yes.
18 Q. Do you know if there have been any changes
19 to the facts regarding Oracle's Integrity Helpline
20 since then?
21 MR. PARKER: Vague and ambiguous.
22 THE WITNESS: I don't understand the
23 question.
24 BY MS. BREMER:
25 Q. So this is the -- this document, Exhibit 91

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1 (verbatim), talks about the facts related to the
2 Oracle Integrity Helpline answering the frequently
3 asked questions. Do you see that?
4 **A.** Yes. It says, "Anti-Corruption Policy,
5 Frequently Asked Questions."
6 **Q.** I guess I'm just wondering if there's been
7 any big changes to the Oracle Integrity Helpline
8 since 2013.
9 **MR. PARKER:** Vague and ambiguous.
10 **THE WITNESS:** I don't know.
11 **BY MS. BREMER:**
12 **Q.** Okay. So just looking at some of the
13 questions and the answers, the first one is, "When
14 should I turn to Oracle's Integrity Helpline?"
15 And at the bottom of the answer it says,
16 "If you wish to remain anonymous and you work in a
17 country that permits anonymous reporting."
18 Does the -- if someone makes a report
19 regarding compensation discrimination, can that
20 report be anonymous?
21 **A.** It depends.
22 **Q.** What would it depend on?
23 **A.** It says right here, "if you work in a
24 country that permits anonymous reporting."
25 **Q.** Okay. Well, does the U.S. permit anonymous

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1 reporting?
2 **MR. PARKER:** Calls for a legal conclusion.
3 **THE WITNESS:** I don't know.
4 **BY MS. BREMER:**
5 **Q.** Do you receive any anonymous complaints
6 about compensation discrimination?
7 **A.** I don't, no.
8 **Q.** Are you -- are you aware --
9 **MR. PARKER:** I'm sorry. I think she's
10 asking, has your team ever received an anonymous
11 report about pay discrimination, to your knowledge?
12 **THE WITNESS:** Yes.
13 **MR. PARKER:** At HQ?
14 **THE WITNESS:** Yeah. At HQ?
15 **MR. PARKER:** I think that's the question.
16 **THE WITNESS:** I couldn't answer with a
17 hundred percent certainty that it involved HQ.
18 **MR. PARKER:** Okay.
19 **THE WITNESS:** But we do receive anonymous
20 complaints about discrimination.
21 **MR. PARKER:** And, Laura, just so you know,
22 truly, I'm not trying to interfere, so I don't want
23 that accusation leveled. So -- nothing. If you do
24 think I am, you can say that's not the question I
25 asked, and I will leave you to your own devices.

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1 **MS. BREMER:** Okay.
2 **MR. PARKER:** Okay?
3 (Discussion off the record.)
4 **BY MS. BREMER:**
5 **Q.** Okay. The second question is, "Should I
6 report my concern through Oracle's Integrity
7 Helpline or to my management?"
8 And the document lists several -- several
9 ways to raise concerns about questionable ethical
10 behavior. Do you see that?
11 **A.** I do.
12 **Q.** So it lists face-to-face discussions with
13 your managers in your management chain, your human
14 resources representative, your regional compliance
15 and ethics officer, or Oracle's Integrity Helpline.
16 Are those all methods of reporting
17 complaints about discrimination if you're in
18 Oracle's headquarters?
19 **A.** Employees could use any of those avenues to
20 report any complaint about anything.
21 **Q.** Including complaints about discrimination?
22 **A.** Including complaints about discrimination.
23 **Q.** Are there any other methods of raising
24 concerns about discrimination that are not listed on
25 Exhibit 95 here that you can think of?

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1 **A.** I'm sorry, Laura. Could you repeat your
2 question?
3 **Q.** I'm wondering if this is a complete list of
4 the ways that an Oracle employee at headquarters
5 could raise a complaint about discrimination.
6 **A.** I wouldn't feel comfortable -- I can't
7 prove the nonexistence of something, right? So I
8 wouldn't feel comfortable saying it's a complete
9 list. I'm sure there are other ways employees could
10 bring a complaint.
11 **Q.** Okay. Off the top of your head, I guess,
12 sitting here as the person who's in charge of the
13 team that investigates complaints, can you think of
14 any other method of employees making a complaint of
15 discrimination that would go to your team?
16 **A.** Let's see. I guess the only other way,
17 there have been instances where -- that I can think
18 someone sent a letter, you know, directly to
19 somebody at Oracle -- could be anybody; sometimes
20 it's a random person -- about a complaint of
21 something, not necessarily discrimination. I can't
22 recall that. But that's the only other thing I can
23 think of is people could do that.
24 **Q.** Okay. And it lists one person you can
25 report to is your regional compliance and ethics

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1 officer?
2 **A.** Uh-huh.
3 **Q.** Who is Oracle's regional compliance and
4 ethics officer at its headquarters?
5 **A.** The regional compliance and ethics officer
6 for North America is a woman by the name of Su, it's
7 just S-U, Kwak, K-W-A-K, is I believe the spelling
8 of her last name.
9 **Q.** And has Su Kwak been Oracle's regional
10 compliance and ethics officer for North America
11 since 2013?
12 **A.** I don't know.
13 **Q.** Do you know if there's -- anyone else has
14 been in that role since 2013?
15 **A.** I don't know the exact dates of her tenure
16 in that role.
17 **Q.** If you look at page 2 of Exhibit 95 --
18 **A.** Uh-huh.
19 **Q.** -- it says, "What happens when I call the
20 Oracle Integrity Helpline?"
21 It indicates that there will be a recording
22 of the inquiry. Do you -- does your team receive --
23 or what information -- if -- let me start over.
24 If a report of discrimination comes in
25 through the ethics -- or Integrity Helpline, what

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1 the, you know, HR. If it's HR-related, it's
2 transferred. The case gets moved over to our team.
3 **Q.** So does that -- you said it's transferred
4 in the EthicsPoint system. Does that mean that you
5 have some sort of -- that your team has access to
6 the EthicsPoint system?
7 **A.** Not to the system in its entirety, but we
8 do have an HR tier within the NAVEX -- within the
9 EthicsPoint case management system.
10 **Q.** Okay. And who has access to that?
11 **A.** To what, specifically?
12 **Q.** To the HR tier within the EthicsPoint case
13 management system.
14 **A.** It -- access is based -- if you're asking
15 me specifically again for the U.S. and our
16 headquarters, narrow it to that?
17 **Q.** Yes.
18 **A.** The folks that report directly to me and do
19 workplace investigations would have -- would be
20 assigned to the cases that they are managing and
21 would be able to see them in the system.
22 **Q.** Okay. And what -- what information is on
23 the EthicsPoint case management system that your
24 team can access?
25 **MR. PARKER:** Vague and ambiguous.

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1 information gets to your group?
2 **MR. PARKER:** Compound. Vague and
3 ambiguous.
4 **BY MS. BREMER:**
5 **Q.** How is a complaint from the Oracle
6 Integrity Helpline communicated to your group who
7 investigates complaints?
8 **A.** If a report of discrimination comes to the
9 Integrity Helpline, we would get a written document
10 email summarizing what the reporter provided.
11 **Q.** And do you get an actual transcript or
12 recording of the complaint?
13 **A.** No.
14 **Q.** Any other information that you would
15 receive with the email summary?
16 **A.** We get the email that states whatever the
17 person, you know, provided, whatever information
18 they provided, and it creates, you know, it creates
19 a case number for that case.
20 **Q.** And how is -- so is that complaint
21 transmitted to your group by email, you said?
22 **A.** It's transmitted to -- the complaints are
23 transmitted to my group, yes, sometimes via email.
24 But also, if it comes into the Integrity Helpline,
25 it may get transferred in the EthicsPoint system to

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1 Compound.
2 **THE WITNESS:** It depends on the nature of
3 the claim what information is put into the system.
4 **BY MS. BREMER:**
5 **Q.** Well, how is it organized? Is it -- when a
6 call comes in to the EthicsPoint helpline -- or
7 the ethics -- sorry, the Integrity Helpline --
8 **A.** I stumble with it sometimes too.
9 **Q.** Yeah.
10 **A.** Integrity Helpline.
11 **Q.** When a call goes into Oracle's Integrity
12 Helpline, somebody at EthicsPoint takes some
13 information from the caller, right?
14 **A.** That is my understanding, yes.
15 **Q.** And do they then summarize that and put it
16 directly into this NAVEX or the EthicsPoint system
17 that you can -- that your team accesses?
18 **MR. PARKER:** Vague and ambiguous.
19 **THE WITNESS:** I don't know --
20 **MS. BREMER:** Okay.
21 **THE WITNESS:** -- what exactly they do.
22 **BY MS. BREMER:**
23 **Q.** Well, what -- when you say you or your team
24 is accessing this EthicsPoint system, what
25 information is available to your team on that? You

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1 indicated that it started up -- there's a case file,
2 for example; is that on there?
3 **A.** I didn't --
4 **MR. PARKER:** Misstates the testimony.
5 **THE WITNESS:** I didn't say that.
6 **BY MS. BREMER:**
7 **Q.** Okay. Well, can you explain what
8 information is on that system?
9 **MR. PARKER:** Compound.
10 **THE WITNESS:** It will depend on the
11 specific case, what information might get input into
12 the system. But whatever information EthicsPoint
13 puts in there, and then anything else that the
14 investigator working on that case might include.
15 **BY MS. BREMER:**
16 **Q.** Okay. So how is it -- how is it organized?
17 Is there -- I'm just trying to understand what the
18 system is and what -- obviously, each case will be
19 different in terms of the specifics about, you know,
20 the complaint, et cetera, but what types of
21 information or what categories of information are
22 available on it?
23 **A.** It's a case management system. So we take
24 in the information that the reporter provides, and
25 we add information along the way in terms of other

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1 complaint, any type of complaint, through the
2 Integrity Helpline, and if it's HR-related, then we
3 would have access to whatever information
4 EthicsPoint collected.
5 The -- what do they call them? The call
6 center intake specialist captures the inquiry or
7 report asking to provide detailed information.
8 Whatever they collect, we can see in the
9 system.
10 **Q.** Okay. And that's in this case management
11 system that you --
12 **A.** That's in the case management system called
13 EthicsPoint.
14 **Q.** And then there's a place in the EthicsPoint
15 system for the investigators to add information that
16 they obtain during the investigation?
17 **A.** The investigators, yes, can add additional
18 information into the case management system.
19 **Q.** Is the EthicsPoint system used for -- in
20 all investigations of discrimination that your team
21 does concerning employees at headquarters?
22 **MR. PARKER:** Vague and ambiguous.
23 **THE WITNESS:** Are you asking about a --
24 you're asking about my team, meaning the
25 investigators that work for me since 2015?

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1 parties involved, category of complaint. It
2 would -- I wouldn't be able to recite for you
3 verbatim what's in there.
4 **Q.** So it sounds like there's -- there's
5 specific information about the complaint that came
6 in, like a summary of the complaint? Is that
7 correct?
8 **A.** No. Not necessarily. I wouldn't be able
9 to say that there's always a summary or not a
10 summary.
11 **Q.** Okay. If a complaint goes into
12 EthicsPoint, do they -- they don't always put a
13 summary into this case management system?
14 **A.** Who is "they"?
15 **Q.** EthicsPoint.
16 **A.** I don't know what they always do or don't
17 do.
18 **Q.** Okay. How -- so if a complaint of
19 discrimination comes in through EthicsPoint, the
20 information -- one of the ways it's conveyed to you,
21 you indicated, was the information is placed on the
22 case management system, correct?
23 **A.** That's not exactly what I said.
24 **Q.** Okay. Can you clarify then?
25 **A.** What I said was, if someone files a

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1 **BY MS. BREMER:**
2 **Q.** Yes.
3 **A.** And -- could you repeat your question so it
4 pertains to that group?
5 **Q.** Since 2015, has the EthicsPoint system been
6 used for all investigations of discrimination that
7 your team of investigators does concerning employees
8 at Oracle's headquarters?
9 **MR. PARKER:** Vague and ambiguous.
10 **THE WITNESS:** Specifically, if my team is
11 investigating an employee complaint, we use the
12 NAVEX system, case management system, to track those
13 complaints.
14 **BY MS. BREMER:**
15 **Q.** And when did Oracle start using the NAVEX
16 system to track complaints of discrimination at
17 headquarters?
18 **A.** I don't know.
19 **Q.** Did you or your team use that system prior
20 to 2015?
21 **A.** Are you asking me again about the team of
22 investigators that I hired on March 1st of 2015?
23 **Q.** Okay. I guess I should just ask if you
24 used that system prior to 2015.
25 **A.** No.

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1 Q. Did -- do you know if -- do you know if the
2 HR business partners used the case management
3 system, the NAVEX case management system, prior to
4 2015?
5 A. I don't know.
6 Q. Was the Oracle -- was there an Oracle
7 Integrity Helpline prior to 2015?
8 A. Yes.
9 Q. And was that handled by EthicsPoint?
10 A. I don't know.
11 Let me clarify that because I just
12 remembered something.
13 I am aware that EthicsPoint, the use of
14 EthicsPoint specifically -- as long as I've worked
15 at Oracle, we've had a reporting capability,
16 integrity or ethics line. I don't know what it was
17 called exactly.
18 But we started using EthicsPoint
19 specifically when we acquired Sun Microsystems, and
20 that was in 2010. So I know that because of my M&A
21 work and it slipped my mind.
22 So that's, I believe, the earliest we were
23 using EthicsPoint specifically.
24 Q. So if a complaint of discrimination by an
25 employee at Oracle's headquarters comes in to your

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1 MR. PARKER: Same objections.
2 THE WITNESS: The answer is no.
3 BY MS. BREMER:
4 Q. Okay. What information would not be put
5 into that system, if it involved a complaint of
6 discrimination?
7 MR. PARKER: Same objections.
8 THE WITNESS: I don't know what wouldn't be
9 put in there.
10 BY MS. BREMER:
11 Q. Okay. What information is put into the
12 system regarding discrimination complaints since
13 March of 2015?
14 A. I'm not sure I understand your question.
15 MR. PARKER: Same objections.
16 THE WITNESS: Can you re- -- I don't
17 understand your question.
18 BY MS. BREMER:
19 Q. Are there specific types of -- okay.
20 So complaints would -- a summary of the
21 complaint would be in the case management system,
22 correct?
23 A. I don't know.
24 Q. Okay. Well, you indicated that, since
25 2015, the case management system was used to track

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1 group through another source, such as through an HR
2 business partner, once your group received it, the
3 investigator would put information up onto this
4 NAVEX system?
5 A. That's not exactly how it works in all
6 cases, no.
7 Q. Okay. Would -- would information from
8 complaints that your team received from other
9 sources be tracked on this case management system by
10 NAVEX?
11 A. Since approximately March of 2015, all of
12 the workplace investigations that have been
13 conducted by my team have been tracked using this
14 case management system.
15 Q. And is all the information that your team
16 gathers during investigations put onto the case
17 management system?
18 A. No.
19 MR. PARKER: Vague and ambiguous.
20 Compound.
21 THE WITNESS: Repeat the question.
22 BY MS. BREMER:
23 Q. Since 2000 -- since March of 2015, is all
24 the information that your team gathers during
25 investigations put into the case management system?

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1 investigations.
2 A. Uh-huh.
3 Q. So what -- is there certain information
4 about investigations that's required to be put into
5 that system?
6 A. No.
7 MR. PARKER: She's asking about
8 discrimination.
9 THE WITNESS: Specifically about
10 discrimination?
11 MR. PARKER: Yeah.
12 THE WITNESS: If I understand your question
13 correctly, you're asking are there -- is there
14 information that we require to be put in the case
15 management system for -- no. I cannot make that
16 statement about, that there's something that's
17 required.
18 BY MS. BREMER:
19 Q. Okay. Is there standard information that's
20 included in the case management system?
21 A. Every case is different, and it would
22 depend on the nature of the case what information we
23 get, so I can't say there's standard information.
24 Q. Okay.
25 A. Investigations are not standard by

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1 their....
2 **Q.** Okay. And the information -- I understand
3 that the information that you get may be different
4 during different investigations, but whatever your
5 team gets, is that put onto the case management
6 system?
7 **MR. PARKER:** Vague and ambiguous.
8 **THE WITNESS:** We do not put everything
9 there. No.
10 **BY MS. BREMER:**
11 **Q.** Where else -- if your team obtains
12 materials during an investigation of discrimination
13 and does not put them up onto the case management
14 system, where is that information kept?
15 **MR. PARKER:** Vague and ambiguous.
16 Compound.
17 **THE WITNESS:** I can't answer it about every
18 case. Are you asking -- so it's hard for me to
19 answer in the abstract about all the cases we do
20 where the information might be.
21 **BY MS. BREMER:**
22 **Q.** Okay.
23 **A.** Could you be more specific?
24 **Q.** If your team conducts interviews during an
25 investigation, are summaries of those interviews

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1 be on my laptop. If the case is closed, we have a
2 repository for those. My team has a network drive
3 that we use to store our case files.
4 **Q.** And that -- is that on an Oracle network
5 drive?
6 **A.** Oh, yes.
7 **Q.** Can you tell me what that is?
8 **A.** The tool that we use for that?
9 **Q.** Yes.
10 **A.** Is that what you're asking me about?
11 **Q.** Sure.
12 **A.** It's called Beehive.
13 **Q.** Okay. Again, on page 2 of Exhibit 95 --
14 **A.** Uh-huh.
15 **Q.** -- near the bottom of the page it says,
16 "How does Oracle investigate concerns?"
17 **A.** Yes.
18 **Q.** And it says, "A report submitted through
19 Oracle's Integrity Helpline is first reviewed by a
20 member of the corporate Compliance and Ethics team
21 in the Oracle Legal department."
22 Who does that?
23 **MR. PARKER:** Vague as to time.
24 **BY MS. BREMER:**
25 **Q.** Are you aware that a report -- is that true

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1 placed on the case management system?
2 **A.** I don't know.
3 **Q.** When you -- do you conduct investigations
4 yourself?
5 **A.** Sometimes.
6 **Q.** Do you conduct discrimination
7 investigations?
8 **A.** I'm sure I have.
9 **Q.** When you conduct investigations, do you put
10 summaries of -- or notes regarding interviews onto
11 the case management system?
12 **A.** I do not.
13 **Q.** Okay. Where do you store your -- the
14 information that you gather regarding interviews?
15 **A.** I don't -- just to clarify, don't -- I
16 don't know what you mean by "summary." You've used
17 that word several times. I don't write summaries.
18 **Q.** Okay.
19 **A.** So I don't know what that means.
20 **Q.** When you interview someone, how do you
21 record the interview?
22 **A.** I type my notes of the interview.
23 **Q.** Okay. And where do you put your notes of
24 the interview?
25 **A.** If it's an open case, they would probably

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1 that a report submitted through Oracle's Integrity
2 Helpline is first reviewed by someone in Oracle's
3 legal department?
4 **A.** That is my understanding.
5 **Q.** And who, since -- well, since 2013, do you
6 know who would review it?
7 **A.** I do not know. If you're talking about
8 since 2013, I don't know for sure.
9 **Q.** Okay. Do you know of anyone from 2013
10 through the present on the legal -- in the legal
11 department who would review complaints that come in
12 through Oracle's Integrity Helpline?
13 **A.** Yes.
14 **Q.** Who?
15 **A.** Currently -- and I'm not sure for how long
16 because I don't know how long she's been in the
17 role -- Su Kwak, as the North America compliance
18 officer. So as it pertains to headquarters, all of
19 North America for her, she would review them if they
20 come in.
21 **Q.** And Su Kwak, what is her title?
22 **A.** Regional compliance -- regional compliance
23 and ethics officer, North America, I think. May be
24 in a different order, but...
25 **Q.** And she's in Oracle's legal department?

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1 A. That is correct.
2 Q. Do you -- does Su Kwak -- do you know
3 approximately how long she's been in that role?
4 A. Without checking -- or asking her or
5 checking the records, I would -- I would say she's
6 probably been in the role almost as long as I've
7 been in my current role, I think. But she may have
8 come after me. I'm not 100 percent sure.
9 Q. And do you know if anyone prior to Su Kwak
10 in Oracle's legal department reviewed complaints
11 that came in through the Oracle hotline or helpline?
12 A. Specific to what area or location?
13 Q. Headquarters.
14 A. Headquarters. Yes.
15 Q. And who would that have been? Prior?
16 A. Prior -- I'm sorry.
17 Q. Yes. Prior to Su Kwak.
18 A. That was Juana Schurman and Emily Sullivan.
19 I think that's it.
20 Q. Did Juana Schurman and Emily Sullivan
21 review complaints that came in through the helpline
22 at the same time or at different -- like, did they
23 have the -- a joint responsibility between 2013 and
24 whenever Su Kwak took over?
25 MR. PARKER: Sorry. Vague and ambiguous

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1 with compliance and ethics or be referred to HR or
2 some other team based on what the allegation is --
3 Q. Okay.
4 A. -- or question. Sometimes we get
5 questions.
6 Q. So is -- so if a complaint came into Oracle
7 relating to an employee at headquarters alleging
8 discrimination, would Su Kwak do something that
9 would refer it to your group?
10 A. Su Kwak would -- yes, she would transfer
11 the case to the HR tier. That triggers a
12 notification to my operations person, and then we
13 have to make a determination who will be looking
14 into that particular concern.
15 Q. Okay. So she transfers -- Su Kwak would
16 transfer the case to the HR tier through this NAVEX
17 case management system?
18 A. That's correct.
19 Q. Would -- okay. So looking back at page 1
20 of Exhibit 95 that listed the various ways that
21 employees could make complaints --
22 A. Uh-huh.
23 Q. -- if complaints of discrimination came in
24 regarding an employee claiming discrimination at
25 Oracle's headquarters through one of these other

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1 and, as to 2013, lacks foundation. Calls for
2 speculation.
3 BY MS. BREMER:
4 Q. I'm just wondering if they handled that
5 responsibility of reviewing complaints from the
6 ethics or compliance helpline at the same time or at
7 different times.
8 A. My recollection was it was at the same
9 time, although I don't know for how long they were
10 involved with doing that, and Juana has worked here
11 a very long time. So it's possible she did it
12 before Emily was even working here, but I don't know
13 for sure.
14 Q. Okay. If a discrimination complaint came
15 in through the Integrity Helpline, Su Kwak would
16 review it -- would she review it before the
17 complaint got to your team?
18 A. If a complaint of any type is submitted
19 through using the Integrity Helpline, it is first
20 reviewed by Su Kwak for North America. She's the
21 first person to see it. That is my understanding.
22 Q. Does she -- does she determine who handles
23 the complaint?
24 A. She will -- Su will review the context, you
25 know, what is being alleged, and then it will stay

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1 methods that's listed, would the complaint also go
2 through Su Kwak?
3 A. If an employee discusses specifically a
4 discrimination case, is that what you said?
5 Q. Yes.
6 A. With their manager or their HR
7 representative, then no. It would not involve
8 Su Kwak.
9 Q. If a complaint of discrimination was made
10 to an employee's manager, an HR representative, or
11 the regional compliance and ethics officer, would
12 that then go directly from those people to your
13 investigations group?
14 A. Not necessarily.
15 Q. And in what situations would it not go to
16 your group?
17 A. Not all cases of discrimination are
18 investigated by my group.
19 Q. Since 2015, who else has investigated cases
20 of discrimination involving Oracle's headquarters?
21 A. As far as I know, HR business partners.
22 Q. And can you describe the role of an HR
23 business partner?
24 MR. PARKER: Vague and ambiguous. Vague as
25 to time. Outside the scope.

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1 THE WITNESS: Oh, sorry. I keep scooting
2 that way because I think I want to be more in front
3 of you.
4 I'm sorry, could you repeat the question?
5 BY MS. BREMER:
6 Q. Could you describe the role of an HR
7 business partner?
8 MR. PARKER: Same objections.
9 THE WITNESS: Today?
10 BY MS. BREMER:
11 Q. Since 2015 with respect to headquarters.
12 MR. PARKER: Same objections.
13 BY MS. BREMER:
14 Q. Just generally, what their role is.
15 A. Are you specifically -- HR business
16 partners, so we're saying very high level, in
17 general, they're just that, an HR business partner.
18 They're providing support, HR-related support to
19 employees in management, leadership, everything from
20 operational HR to strategic HR.
21 Q. So if a manager in product development had
22 an issue, an HR issue, they would go to their
23 assigned HR business partner?
24 A. They certainly could, yes.
25 Q. And are HR business partners -- they're

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1 BY MS. BREMER:
2 Q. Are -- is -- if an HR business partner
3 conducts an investigation of discrimination, does --
4 do you -- does your group receive notice of that?
5 A. Not necessarily.
6 Q. You don't necessarily receive information
7 about that investigation or complaint at all?
8 A. Not necessarily, no.
9 Q. And is that just up to the discretion of
10 the HR business partners?
11 A. Is what up to their discretion?
12 Q. Whether they notify your group.
13 A. I don't -- we don't have any such practice
14 that they need to notify my group, so there isn't a
15 matter of discretion there.
16 Q. Okay. So there's no requirement that if an
17 HR business partner receives a complaint of
18 discrimination, that they should notify your group
19 who's conducting HR investigations?
20 A. No. They have no requirement to notify my
21 team.
22 Q. So your team is not necessarily aware of
23 all discrimination complaints that are made by
24 Oracle employees at Oracle's headquarters?
25 A. Correct.

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1 assigned to specific groups, like product
2 development?
3 A. Generally, yes. HR business partners are
4 assigned to a group or groups. There may be a
5 variety of functions or one function.
6 Q. How many HR business partners are there at
7 Oracle's headquarters that are assigned to the
8 product development group?
9 A. I don't know.
10 Q. Okay. So they would -- if an HR business
11 partner received a complaint of discrimination, they
12 could handle that themselves?
13 A. If an HR business partner received a
14 complaint of discrimination, could they handle it
15 themselves?
16 Q. Yes.
17 A. Is that what you asked?
18 Q. Yes.
19 A. They could, yes.
20 Q. If they -- and they could investigate it
21 themselves and come to a resolution?
22 MR. PARKER: Compound. Assumes facts.
23 THE WITNESS: I -- yeah, I can't answer
24 that in the abstract. I mean, they can conduct
25 investigations, yes.

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1 Q. Okay. With respect to managers, if
2 managers receive a complaint of discrimination, they
3 can either talk to their HR business partner or come
4 to your group who handles investigations?
5 A. Managers can avail themselves of all of the
6 methods of reporting concerns. They can report it
7 to their HR business partner. They could -- they
8 can do a lot of different things, but it's -- they
9 could come to my team, I guess.
10 Q. Okay. So might come to your team, but not
11 necessarily?
12 A. Not necessarily. No.
13 Q. Okay. So back to -- we were talking --
14 looking before at page 2 of Exhibit 95.
15 A. Uh-huh.
16 Q. And we're under, "How does Oracle
17 investigate concerns?"
18 The second sentence says, "Where called
19 for, the report is assigned for investigation to an
20 investigation team that may include both internal
21 and external resources."
22 Is the internal resource your group?
23 A. I don't know.
24 Q. Do you know if a complaint of
25 discrimination is made, is that -- are there

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1 external resources involved in investigation?
2 **A.** I don't know.
3 **Q.** Does your team work with any external
4 resources in investigating discrimination
5 complaints?
6 **A.** I can't answer about investigations
7 broadly. Every case is different.
8 **Q.** I'm talking about discrimination --
9 investigations of discrimination that arise from a
10 complaint by an employee at Oracle's headquarters.
11 **MR. PARKER:** Compound.
12 **THE WITNESS:** Repeat your question. I'm
13 not following you.
14 **BY MS. BREMER:**
15 **Q.** If a complaint is made regarding
16 discrimination by an employee at Oracle's
17 headquarters, does your team work with any external
18 people during the investigation?
19 **MR. PARKER:** Compound. Vague and
20 ambiguous.
21 **THE WITNESS:** So we investigate all types
22 of complaints, my team specifically. We investigate
23 all types of complaints with employees, right? And
24 we -- who we work with on that would be based on the
25 specific nature of that case. So I'm not

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1 **A.** I cannot answer on behalf of Oracle on
2 that -- to that question.
3 **Q.** Okay. The next question on Exhibit 95 is,
4 "Will my concern be seen by the right people?"
5 And it says, "All inquiries and reports are
6 first reviewed by a member of the corporate
7 Compliance and Ethics team and then referred to
8 other subject matter experts or investigators as
9 appropriate."
10 On your team of five investigators, are
11 they assigned to certain subject matter areas, or do
12 they all just generally handle any type of complaint
13 that comes into your group?
14 **A.** They --
15 **MR. PARKER:** Vague and ambiguous.
16 **THE WITNESS:** They -- I -- no, I can't move
17 over.
18 Can you repeat your question? I'm sorry.
19 **BY MS. BREMER:**
20 **Q.** On your team of five investigators, are
21 they assigned to certain subject matter areas, or do
22 they all just generally handle any type of complaint
23 that comes into your group?
24 **MR. PARKER:** Same objection.
25 **THE WITNESS:** My investigators are not

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1 comfortable making a generalized statement such as
2 your question requires.
3 **BY MS. BREMER:**
4 **Q.** Okay. And my question is specific to
5 complaints regarding discrimination, and let's just
6 say compensation discrimination. If there's a
7 complaint regarding compensation discrimination,
8 does your team use external resources as part of its
9 investigation?
10 **MR. PARKER:** Same objections.
11 **THE WITNESS:** Again, I cannot answer a
12 question in the abstract. What happens in any
13 specific or given investigation depends on the
14 nature of that investigation.
15 **BY MS. BREMER:**
16 **Q.** And do you recall any compensation
17 discrimination investigations involving employees at
18 Oracle's headquarters where you did use external
19 resources as part of the investigation?
20 **A.** The "you" in that sentence is me?
21 **Q.** Well --
22 **A.** I can answer for myself.
23 **Q.** Okay. Answer for yourself.
24 **A.** No.
25 **Q.** And what about Oracle?

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1 assigned to specific types of cases. No.
2 **BY MS. BREMER:**
3 **Q.** So if there were a complaint of
4 compensation discrimination by someone at Oracle's
5 headquarters, that could be assigned to any of the
6 five investigators in your group?
7 **A.** Yes, it could.
8 **Q.** So if somebody makes -- if an Oracle
9 employee who's at Oracle's headquarters makes --
10 files a claim with the EEOC, does your group handle
11 those?
12 **A.** No.
13 **Q.** Okay. And what about lawsuits that are
14 filed alleging discrimination? Does your group
15 handle those?
16 **A.** No.
17 **Q.** So your group is focused just on internal
18 complaints, correct?
19 **A.** What do you mean by "internal"? Versus
20 what?
21 **Q.** Versus if -- a lawsuit or arbitration or
22 government complaint which is --
23 **A.** My team does not -- we don't --
24 **Q.** Just -- I'm sorry -- which is made to an
25 external source like a court?

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1 A. We don't manage any of those things. No.
2 Q. Okay. Does Oracle conduct surveys that ask
3 questions about employee complaints or concerns?
4 MR. PARKER: Vague and ambiguous. Vague as
5 to time.
6 THE WITNESS: I can't -- I don't know.
7 BY MS. BREMER:
8 Q. You don't know if there have been any
9 surveys that go out to Oracle employees that ask
10 questions about their satisfaction, concerns,
11 complaints they might have?
12 MR. PARKER: Same objections.
13 THE WITNESS: That's not what you said.
14 MS. BREMER: Okay.
15 THE WITNESS: Repeat your question because
16 that's not what you asked me.
17 BY MS. BREMER:
18 Q. Do you know if there have been any surveys
19 that go out to Oracle employees that ask questions
20 about their satisfaction, their concerns, or
21 complaints they might have?
22 MR. PARKER: This is outside the scope and
23 otherwise vague and ambiguous. Vague as to time.
24 If you know, you can answer.
25 THE WITNESS: If you're asking if Oracle

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1 but what did you mean when you said it changed?
2 A. Oracle is a very large company, and for me
3 to be able to say to you when -- so if you're asking
4 me on a global basis, do we survey our employees,
5 the answer is -- I can tell you most recently, the
6 answer is yes.
7 If you're asking me for what's happened in
8 the past, that might be different. And I would not
9 know off the top of my head.
10 Q. Okay. And I am specifically talking about
11 headquarters. Does that change your answer?
12 A. No.
13 Q. Okay. And you said recently you've done
14 that. When recently?
15 A. 2018.
16 Q. Are you aware of any employee satisfaction
17 or engagement surveys that went to employees at
18 headquarters prior to 2018?
19 MR. PARKER: Misstates the testimony.
20 Vague and ambiguous. Lacks foundation and outside
21 the scope.
22 THE WITNESS: Specific to headquarters, no.
23 BY MS. BREMER:
24 Q. Okay. I didn't mean specific to
25 headquarters but encompassing headquarters. So it

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1 surveys its employees -- and what time frame are we
2 talking about?
3 BY MS. BREMER:
4 Q. Since 2013.
5 A. It has changed over time, but we do, today,
6 have a employee -- I would not refer to it as a
7 satisfaction survey. We do have an employee survey
8 that covers all employees.
9 Q. And what would you call it?
10 A. It has a name. I think they call it, like,
11 more like engagement surveys. I mean, satisfaction
12 is fine, but there's -- it's not just about, "What
13 don't you like about your work environment?" It's
14 broader than that.
15 Q. Okay. And when did Oracle start using
16 these satisfaction or engagement surveys?
17 A. I --
18 MR. PARKER: Assumes -- sorry, assumes
19 facts. Vague and ambiguous. Lacks foundation.
20 Outside the scope.
21 You can answer.
22 THE WITNESS: I don't know.
23 BY MS. BREMER:
24 Q. Okay. You indicated that it had changed,
25 which suggested that it was something that was new,

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1 would have gone to employees at headquarters even if
2 it went to other people too.
3 MR. PARKER: Same objections.
4 THE WITNESS: I'm not certain prior to 2018
5 exactly who our surveys included.
6 BY MS. BREMER:
7 Q. Are you aware of any surveys prior to 2018?
8 MR. PARKER: Same objections.
9 THE WITNESS: Not specifically. No.
10 BY MS. BREMER:
11 Q. Okay. And if -- and did your group --
12 well, let me ask, if -- did your group conduct any
13 investigations as a result of anything anyone said
14 on one of these -- on the employee survey in 2018?
15 MR. PARKER: Vague and ambiguous. Outside
16 the scope.
17 THE WITNESS: I don't know.
18 BY MS. BREMER:
19 Q. So, for example, if on a survey an employee
20 complained about compensation discrimination or
21 raised issues about women being paid less, is that
22 something that your group would handle?
23 A. Not necessarily.
24 Q. Or is it something your group did handle?
25 A. I don't know.

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1 Q. Did your group conduct any investigations
2 that arose from surveying employees?
3 A. I don't know.
4 Q. Was the 2018 employee survey anonymous?
5 A. Gosh, I'm racking my brain. It's -- I
6 don't believe it's anonymous, but the results are
7 shared in an aggregate form, so people are not
8 identified is what I recall.
9 So when we publish the results -- so we use
10 a third party, so when we publish the results, it's
11 not down to the individual level.
12 Q. And what was the third party that conducted
13 the survey?
14 A. Oh, gosh. It's not in my area, so I'm not
15 certain the name of the company. If I think of it,
16 I'll -- if it comes to my brain, I will let you
17 know.
18 Q. Okay. Was your team -- did your team
19 review the results and then conduct any
20 investigations based on the survey results --
21 MR. PARKER: Compound.
22 BY MS. BREMER:
23 Q. -- relating to compensation or
24 discrimination?
25 MR. PARKER: Compound.

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1 or notify you by some other means?
2 A. We can be notified in a variety of ways.
3 Q. Okay. Do the HR representatives also have
4 access to the -- to the case management system, the
5 NAVEX case management system?
6 A. No, they do not.
7 Q. Okay.
8 A. Again, if you're asking me specifically as
9 it pertains to U.S. headquarters.
10 Q. Yes.
11 A. No.
12 Q. Okay. So they would notify you by a means
13 other than through the NAVEX system?
14 A. Yes. We do -- we have a mechan- -- we have
15 several ways that they can obviously tell us,
16 however they choose to: Call us, email us. But we
17 also have a reporting incident form that they can
18 fill out. Incident report form, I think it's
19 called.
20 Q. And is that a form that's on Oracle's
21 system or...?
22 A. It's a form, a Web form, that NAVEX created
23 for us so that HR business partners could submit
24 cases, and then it would notify us so they don't
25 have to use email or call.

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1 THE WITNESS: My -- my team did not review
2 those results at all.
3 BY MS. BREMER:
4 Q. And what about -- I'm just trying to find
5 out all the sources -- all the ways you could get
6 information about a complaint that your team would
7 investigate. And I'm wondering if you receive
8 information about exit interviews that then your
9 team investigates.
10 A. I don't know about exit interviews, per se,
11 but we have received complaints from employees as
12 they depart the company, yes. Specifically whether,
13 though, any of those were at HQ, I do not know.
14 Q. And if an employee makes a complaint as
15 they depart, do you receive that from managers or HR
16 representatives or some other source?
17 A. It could come from any -- it could come
18 from a variety of sources. I don't know
19 specifically.
20 Q. What sources did it come from?
21 A. I don't know specifically.
22 Q. Okay. So if an HR representative receives
23 a complaint that they ask your team to investigate
24 as opposed to doing it themselves, do they load
25 information about it onto the case management system

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1 It's another way that they can send us the
2 information about a case that they would like us to
3 handle.
4 Q. And where are those kept, the incident
5 report forms?
6 A. Gosh, I don't know.
7 Q. Are those on Oracle's system?
8 A. I don't believe so. No.
9 Q. Is that part of the -- the EthicsPoint
10 system?
11 A. Uh-huh, yes, it is.
12 Q. Okay. So when a complaint comes in that's
13 been forwarded to your group, does that go -- do all
14 of them go through you first?
15 A. No.
16 Q. Okay. How does -- how are investigations
17 of discrimination complaints assigned to the
18 investigators within your group?
19 A. Generally we make assignments based on
20 workload.
21 Q. And who does that?
22 A. Sometimes I do; sometimes others on the
23 team do it.
24 Q. And who decides what investigation to
25 conduct regarding a complaint of discrimination?

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1 A. I'm sorry. I don't understand your
2 question.
3 Q. So a complaint has been made. It's been --
4 it's at your team to investigate.
5 A. Uh-huh.
6 Q. What's the next step in the process?
7 A. Oh, I see what you're saying.
8 So if there's a -- if there's a complaint
9 to be investigated by my team or by an HR business
10 partner, including discrimination, those are all
11 done at the direction of counsel.
12 So after we receive a complaint, we would
13 do an intake -- assuming it hadn't already been done
14 because the person didn't just call and tell you, so
15 there's an intake interview done with the
16 complainant or the reporter. Sometimes that's done
17 after legal has been made aware of this concern,
18 sometimes it's done before. It's done for the
19 purposes of getting legal advice to then conduct the
20 investigation.
21 Q. Okay. Is the intake interview done with
22 legal -- with somebody from the legal department
23 present?
24 A. No.
25 Q. And the intake interview with the

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1 complainant is done sometimes before legal has been
2 informed about the complaint?
3 A. Yes.
4 Q. And then once -- and one of the five
5 investigators on your team or you may conduct the
6 intake interview?
7 A. Could -- that is correct. But it could
8 also be an HR business partner.
9 Q. So once the intake interview with the
10 complainant has taken place, what's the next step?
11 A. All the other steps in our investigations
12 are at the direction of counsel, so I wouldn't be
13 able to share that information with you.
14 Q. Okay. When you say that they're at the
15 direction of counsel, what do you do after an intake
16 interview has taken place?
17 A. Talk to legal.
18 Q. And who, in legal, does your team talk to?
19 A. I gave you the list earlier of all of our
20 employment attorneys in the United States. That's
21 who we work with.
22 Q. Okay. So you -- if it's a complaint of
23 discrimination -- well, first of all, let me ask:
24 Who on your team talks to legal? Is it just you or
25 you and all the five investigators?

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1 A. All of the investigators and myself talk to
2 legal about our individual cases, as do the HR
3 business partners who are conducting investigations.
4 Q. So the process is that you conduct an
5 intake interview, you or your team, and then talk to
6 one of the attorneys that you mentioned previously
7 about the complaint?
8 MR. PARKER: Misstates the testimony.
9 THE WITNESS: That's not exactly what I
10 said.
11 BY MS. BREMER:
12 Q. Okay. Can you clarify, please?
13 A. When a complaint is received, there is an
14 intake interview done. That could occur after legal
15 has been engaged or notified of the concern or
16 before, depends on the individual case. But in all
17 cases, all investigations that we conduct are based
18 on the advice that we get from our employment legal
19 team.
20 Q. So if legal hasn't been informed about the
21 complaint before the intake interview, would either
22 you or someone on your team talk to one of the
23 people in legal you mentioned previously next to
24 describe the intake interview?
25 A. Okay. Can you ask your question again?

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1 I'm sorry. Because I think I already answered that.
2 Q. If legal has not been informed about the
3 complaint before the intake interview, then your
4 group takes the intake interview, right? And then
5 would the next step be to talk to one of the people
6 in legal that you mentioned previously?
7 MR. PARKER: Asked and answered.
8 THE WITNESS: Yeah. I -- as I said before,
9 we take in our intake interviews based on any and
10 all complaints that we receive, and sometimes legal
11 is aware before that; if not, immediately after
12 that.
13 BY MS. BREMER:
14 Q. Immediately after the intake interview?
15 A. We gather whatever information from the
16 reporter or the complainant that we need for the
17 purposes of getting legal advice to conduct the
18 investigation or determine if an investigation will
19 be conducted at all.
20 Q. Okay. After talking to legal, what is the
21 next step in the investigation process?
22 A. That is based on the nature of the
23 individual case, and it's done at the direction of
24 counsel.
25 Q. Okay. If you're investigating a

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1 discrimination complaint regarding somebody at
2 headquarters, do you have a general practice as to
3 how those investigations are conducted?
4 MR. PARKER: Vague and ambiguous.
5 Compound.
6 THE WITNESS: We do not.
7 BY MS. BREMER:
8 Q. Does Oracle have a policy on how
9 investigations are handled?
10 MR. PARKER: Outside the scope. Vague and
11 ambiguous.
12 THE WITNESS: I don't know.
13 BY MS. BREMER:
14 Q. Does Oracle have a policy about how
15 complaints are handled?
16 MR. PARKER: Same objections.
17 THE WITNESS: I don't know what that means.
18 BY MS. BREMER:
19 Q. Okay. What policies does Oracle have
20 regarding handling of discrimination complaints?
21 MR. PARKER: Same objections. I'm sorry.
22 Strike that.
23 Vague and ambiguous and assumes facts.
24 THE WITNESS: Are you -- are you asking me
25 about our discrimination policy?

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1 some sort of intake or talk to the reporter or the
2 complainant, and then we would work at the direction
3 of counsel on any next steps.
4 Q. Do you have standard next steps that you
5 take in the investigation of complaints?
6 A. No.
7 Q. In conducting a complaint of compensation
8 discrimination, you talk to the complainant. Who
9 else would you talk to to investigate a claim of
10 compensation discrimination?
11 A. That depends on the -- I'm sorry -- depends
12 on the specific case. That would be done at the
13 direction and advice of counsel.
14 Q. Would you talk to the manager who set --
15 who was involved in setting the pay of the
16 individual claiming compensation discrimination?
17 MR. PARKER: Calls for attorney-client
18 privilege.
19 BY MS. BREMER:
20 Q. Go ahead. Are you refusing --
21 MR. PARKER: I am instructing not to
22 answer.
23 You can answer that in the general sense.
24 THE WITNESS: Again, who we may speak to in
25 any given investigation would be based on that case

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1 BY MS. BREMER:
2 Q. I'm asking about Oracle's policies,
3 procedures, related to how your employees can file
4 complaints of discrimination and how you follow up
5 on those complaints.
6 So right now I'm -- we've been talking a
7 lot about the complaints of discrimination. Now I'm
8 focusing more on your policies on following up on
9 those complaints.
10 A. Well, the --
11 MR. PARKER: She just wants to know, is
12 there a policy -- let's make sure we're very clear.
13 Is there a policy regarding how one -- at Oracle one
14 must handle a discrimination complaint?
15 THE WITNESS: No.
16 BY MS. BREMER:
17 Q. Okay.
18 A. Again, specific to headquarters.
19 Q. Does Oracle have practices or procedures
20 regarding -- regarding how it handles discrimination
21 complaints?
22 A. At Oracle, we take all complaints seriously
23 and handle them in the same fashion, generally
24 speaking.
25 We would, like I've said before, conduct

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1 and would be done at the advice and direction of
2 counsel.
3 BY MS. BREMER:
4 Q. Okay. I'm going to ask my question again.
5 If you're not going to answer based on your -- the
6 instruction of your counsel, you can tell me.
7 A. Uh-huh.
8 Q. But I'd like an answer.
9 Would you talk to the manager who was
10 involved in setting the pay of an individual
11 claiming compensation discrimination?
12 MR. PARKER: Just for the record, she's
13 answered the question. If it gets more specific,
14 she cannot answer the question. But she has
15 answered the question.
16 THE WITNESS: Depends on the case.
17 BY MS. BREMER:
18 Q. In a case involving an allegation of
19 compensation discrimination, can you think of a case
20 where your investigators have not talked to the
21 manager who's involved in setting an employee's pay?
22 MR. PARKER: You can answer that yes or no
23 if you know.
24 THE WITNESS: Ask me the question again.
25

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1 BY MS. BREMER:
2 Q. In a case involving an allegation of
3 compensation discrimination, can you think of a case
4 where your investigators have not talked to the
5 manager who's involved in setting an employee's pay?
6 A. I don't know.
7 Q. You don't know if you can think of one?
8 A. I can't think of one. Sorry. That is a
9 better answer. I cannot think of one, no.
10 Q. So generally your investigators would talk
11 to managers of an employee making a complaint of
12 compensation discrimination?
13 MR. PARKER: Instruct not to answer based
14 on attorney-client privilege.
15 BY MS. BREMER:
16 Q. Are you going to answer the question?
17 A. You -- that's not what I said. Would you
18 repeat your question? You misstated what I said
19 before.
20 Q. My question was, generally your
21 investigators would talk to managers of an employee
22 making a complaint of compensation discrimination?
23 MR. PARKER: Same objections.
24 THE WITNESS: What we do in any given
25 investigation is based on the nature of that

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1 THE WITNESS: I don't know.
2 MS. BREMER: Well, she didn't answer it.
3 MR. PARKER: That's your view.
4 THE WITNESS: I don't know.
5 MR. PARKER: You don't have to answer the
6 question anymore. She's asked it twice.
7 THE WITNESS: Yeah, okay.
8 BY MS. BREMER:
9 Q. In a case of someone making a claim of
10 compensation discrimination, what information about
11 compensation would your group gather?
12 A. The steps that are taken in any given
13 investigation depends on the nature of that
14 complaint.
15 Q. Okay. And I'm talking about a complaint --
16 the type of complaint would be compensation
17 discrimination, say it was a claim of compensation
18 discrimination based on gender. What compensation
19 information or data would your group gather?
20 A. Like, I can't answer a question like that
21 in the abstract, and anything specific about a
22 specific case would be at the direction of counsel.
23 So I wouldn't be able to provide that information.
24 Q. Well, generally there -- in any case,
25 wouldn't there be at least a minimum amount of

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1 investigation and is done at the direction and
2 advice of counsel, so I cannot answer that question.
3 BY MS. BREMER:
4 Q. Okay. My question, though, was generally
5 your investigators would talk to managers of an
6 employee making a complaint of compensation
7 discrimination, right?
8 MR. PARKER: So, again, you can give the
9 general answer you gave before, just now, and when
10 it gets to the particulars of any particular
11 complaint, I would instruct not to answer based on
12 attorney-client privilege.
13 THE WITNESS: I don't feel comfortable
14 answering something generally or in the abstract
15 about investigations. They are very unique, and
16 it's case by case what gets done in any given
17 investigation.
18 BY MS. BREMER:
19 Q. I understand that's your position, but
20 generally, as part of the investigation of a
21 complaint involving compensation discrimination,
22 your investigators would talk to the manager of the
23 employee making the complaint, right?
24 MR. PARKER: You don't have to answer the
25 question. It's been asked twice now.

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1 compensation information that you would gather in
2 investigating a claim of compensation
3 discrimination?
4 MR. PARKER: Vague and ambiguous.
5 BY MS. BREMER:
6 Q. For example, would you -- would you ever
7 conduct an investigation of compensation
8 discrimination and not obtain the employee's
9 compensation information?
10 A. I can't answer that question.
11 Q. You can't --
12 A. It's abstract, and I will say again that
13 investigations are unique, and we do what we do in
14 any given investigation based on the nature of that
15 investigation.
16 Q. So you're telling me that if you -- if
17 someone complained about their compensation and made
18 a complaint that they were being discriminated
19 against based on their compensation, you would not
20 gather information -- you can't tell me whether
21 you'd gather information about their compensation?
22 A. That's -- what I'm saying is, what we do in
23 any given investigation to investigate it is done at
24 the direction of counsel, and I cannot answer that
25 question.

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1 I can't tell you what we would do, first of
2 all, because you're asking me in the abstract, and
3 then if you're asking me specifically, it's
4 privileged.
5 Q. So you're refusing to answer my question?
6 A. I answered your question.
7 MR. PARKER: She did answer the question.
8 BY MS. BREMER:
9 Q. By saying you can't answer it.
10 MR. PARKER: When you get to a good
11 breaking point, I need to break.
12 MS. BREMER: Okay. Let's take a break.
13 MR. PARKER: Okay.
14 THE VIDEOGRAPHER: We're going off the
15 record. The time is 11:31 a.m. This marks the end
16 of media No. 2.
17 (Recess taken.)
18 THE VIDEOGRAPHER: All right. We're back
19 on the record. The time is 11:40 a.m. This marks
20 the beginning of media No. 3.
21 (Discussion off the record.)
22 BY MS. BREMER:
23 Q. So we were talking about steps that might
24 be taken during the investigation. When -- when an
25 intake interview is taken, is that -- is information

101

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

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

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1 No.
2 MS. BREMER: Are we on Exhibit 96?
3 MR. PARKER: Yes.
4 THE REPORTER: Yes.
5 MS. BREMER: I'd like to mark as Exhibit 96
6 a document entitled "Mechanics of an Investigation"
7 by Emily Sullivan, Neil Perry, and Timi Baxter.
8 (Whereupon, Exhibit 96 was marked for
9 identification.)
10 BY MS. BREMER:
11 Q. Do you recognize this document?
12 A. Yes, I do.
13 Q. Okay. What is it?
14 A. This is a presentation from 2015 from our
15 HR investigations training with HR business
16 partners.
17 Q. So is this a training that you, Emily
18 Sullivan, and Neil Perry gave to the HR business
19 partners?
20 A. It is a training that Emily, Neil, and I --
21 we definitely created this PowerPoint because our
22 names are on it, but I don't recall who exactly
23 conducted this particular section in this particular
24 year.
25 Q. And --

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1 A. Sorry. I should put this in airplane mode.
2 Q. Who is Emily Sullivan?
3 A. I mentioned Emily Sullivan's name earlier.
4 She's one of our employment attorneys.
5 Q. And who is Neil Perry?
6 A. Neil Perry was an employment attorney at
7 Oracle. He's since left the company.
8 Q. Okay. If you look at the second page,
9 there's a copyright of 2013 at the bottom of the
10 page?
11 A. Yes.
12 Q. Was this PowerPoint created in 2013?
13 A. I don't know.
14 Q. Did your investigators participate in this
15 training on mechanics of an HR investigation?
16 A. I don't recall.
17 Let me clarify. Maybe I misunderstood your
18 question.
19 Were you asking me if they were there or if
20 they presented? You used the word "participate," so
21 I'm not -- I should have clarified, what do you mean
22 by that?
23 Q. Did they -- I guess, were they there?
24 A. They were absolutely there.
25 Q. Okay. In what role?

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1 A. Yes.
2 Q. Okay. When was that?
3 A. I don't recall all of the dates off the top
4 of my head, but we generally run this training -- or
5 investigations training -- I don't know if it's
6 specifically this PowerPoint presentation is still
7 included -- once or twice a year.
8 Q. And is it always for the HR business
9 partners?
10 A. Yes.
11 Q. Are they required to attend?
12 A. Are they -- every time we run it? I'm not
13 sure I understand your question.
14 Q. Are they ever required to attend it? Are
15 they --
16 A. They could be, yes.
17 Q. What are the requirements for HR business
18 partners attending the mechanics of an HR
19 investigation?
20 A. It varies.
21 Q. Do you know how frequently they're required
22 to attend the training?
23 A. No. I do not.
24 Q. Are they required to attend it at least
25 once?

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

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1 A. No. Not necessarily.
2 Q. Do you know?
3 A. We have a lot of HR business partners at
4 Oracle and lot of them in the U.S., so -- but the
5 answer to that question is hard to give in a general
6 sense.
7 Q. But the training's provided one to two
8 times a year. And who attends -- who attends these
9 trainings?
10 A. HR business partners, my team, and the
11 lawyers. Somebody from our employment legal
12 department will be in attendance.
13 Q. If you look at page 6 --
14 A. Page 6. Yes.
15 Q. -- the training instructs people conducting
16 investigation to "Take notes during all interviews."
17 Do you see that?
18 A. Yes, I do.
19 Q. We've talked about some places where notes
20 are kept. Where are the HR business partners' notes
21 of interviews kept?
22 A. I have no idea.
23 Q. Are any of -- is any information from
24 investigations conducted by HR business partners
25 posted on the NAVEX case management system?

108

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

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1 Q. Okay. What about specifically claims of
2 compensation discrimination?
3 A. What we do in any investigation depends
4 specifically on that case.
5 Q. The second bullet point says, "Individually
6 or with management (depending on the matter)
7 communicate results of the investigation to the
8 accused individual."
9 If someone specifically has been accused of
10 compensation discrimination, would you convey that
11 to that person?
12 A. I don't know.
13 Q. If a manager has been accused of
14 compensation discrimination, are you aware of any
15 investigation that was conducted that did not convey
16 the result -- or let me ask that again.
17 A. Yeah, you kind of lost me there.
18 Q. Where your team conducts an investigation
19 of compensation discrimination and determines
20 whether or not there has been compensation
21 discrimination, can you think of a situation where
22 you have not conveyed the findings to a person
23 that's been accused of compensation discrimination?
24 A. Off the top of my head, no.
25 Q. The next bullet point says you "Work with

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

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1 LOB" -- does that mean "line of business"?
2 A. I would assume it does, yes.
3 Q. -- "management to implement actions
4 resulting from the investigation."
5 Can you list for me the types of actions
6 that have resulted from investigations of
7 compensation discrimination?
8 MR. PARKER: Instruct not to answer.
9 Attorney-client privilege.
10 THE WITNESS: I can't answer that question.
11 BY MS. BREMER:
12 Q. You can't answer because of your attorney
13 instructing you not to answer?
14 A. I can't answer because whatever we do in
15 any given investigation is at the direction of
16 counsel.
17 Q. And so you're not answering for that
18 reason?
19 A. I just answered.
20 Q. Well, that's not an answer to my question,
21 but --
22 MR. PARKER: That is the reason she's not
23 answering.
24 BY MS. BREMER:
25 Q. Okay. I just want -- when you say things

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

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

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

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1 A. Well, all employees at Oracle are trained
2 on harassment and discrimination; is that what
3 you're asking?
4 Q. And does the training that all employees
5 receive on harassment and discrimination include
6 information specifically about compensation
7 discrimination?
8 A. Off the top of my head, I don't know.
9 Q. And are you aware of any other training on
10 Oracle's Equal Employment Opportunity obligations
11 other than the training that all employees receive
12 on harassment and discrimination?
13 A. Ask me the question again. Am I aware --
14 Q. Of any other training on Oracle's Equal
15 Employment Opportunity obligations other than the
16 training that all employees receive on harassment
17 and discrimination?
18 A. Not that I could name, no.
19 Q. Are you aware of any training on Oracle's
20 affirmative action obligations?
21 A. There is an affirmative action training
22 course, yes.
23 Q. And who attends that?
24 A. My understanding is it's U.S. -- all of the
25 U.S. employees. It's a U.S.-centered law or

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1 requirement, so I think it's just the U.S.
2 **Q.** And who conducts that training?
3 **A.** It's virtual training.
4 **Q.** And does that -- does the affirmative
5 action training provide specific information about
6 compensation?
7 **A.** I don't recall.
8 **Q.** Does your investigative unit investigate
9 complaints about other people's compensation? For
10 example, if someone -- if a manager complains that
11 their employee is not receiving enough money, would
12 your investigative unit investigate that?
13 **MR. PARKER:** Vague and ambiguous.
14 **THE WITNESS:** We investigate all types of
15 complaints.
16 **BY MS. BREMER:**
17 **Q.** Can you recall any situations where your
18 team was asked to investigate a situation where
19 someone was not complaining about their own
20 compensation, but about somebody else's
21 compensation?
22 **A.** I can't recall a specific case, no.
23 **Q.** Who's involved in making the decision
24 whether to adjust someone's compensation after an
25 investigation of a complaint of compensation

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1 would you make the determination at the end of that
2 investigation that a person -- that the
3 complainant's compensation should not be adjusted,
4 or would you need to talk to somebody else if you
5 determined that the person's pay should not be
6 adjusted?
7 **A.** I think this goes to the -- we're
8 talking -- if we're talking about any specific
9 investigation, which I think what we might do is not
10 something that I could say.
11 **Q.** And why is that?
12 Are you claiming --
13 **MS. BREMER:** Are you claiming
14 attorney-client privilege here, Warrington?
15 **MR. PARKER:** I think the question -- I
16 don't think she understands the question. So do you
17 mind?
18 **MS. BREMER:** Okay. Go ahead.
19 **MR. PARKER:** Who do you talk to -- when you
20 come to the end of an investigation, who do you talk
21 to about what steps -- what remedial steps or any
22 steps should be taken?
23 **THE WITNESS:** Legal.
24 **MR. PARKER:** And who makes the decision
25 about what remedial steps should be taken?

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1 discrimination?
2 **MR. PARKER:** Assumes facts. Outside the
3 scope.
4 **THE WITNESS:** Again, what we do --
5 **MR. PARKER:** She's just asking in general
6 terms. So, for example, she's assuming that an
7 adjustment would be called for.
8 **THE WITNESS:** Okay.
9 **MR. PARKER:** Just assume that.
10 **THE WITNESS:** Okay. Assume it, okay.
11 **MR. PARKER:** Who would be involved in that
12 decision, if you know?
13 **MS. BREMER:** Well, it's not -- that's not
14 exactly it.
15 **THE WITNESS:** Okay.
16 **BY MS. BREMER:**
17 **Q.** It's also -- it's not just, I'm assuming
18 that an adjustment would be made, but a decision
19 about whether to make an adjustment to someone's
20 pay, who would be involved in that decision?
21 **A.** I don't know.
22 **Q.** If you conducted an investigation -- well,
23 let's go two different routes.
24 If you conducted an investigation of a
25 complaint of compensation discrimination and --

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1 **THE WITNESS:** It depends. There's not
2 one-size-fits-all for that.
3 **BY MS. BREMER:**
4 **Q.** When you come to the end of an
5 investigation, do you always have to talk to legal
6 about the results, or are there some things that you
7 can do without involving the legal department?
8 **A.** Every investigation we conduct is done at
9 the direction of our legal counsel.
10 **Q.** And so at the end of an investigation, do
11 you always talk to legal about the results?
12 **A.** What we do in any given investigation
13 depends on that investigation. But it's done at the
14 direction of counsel, yes.
15 **Q.** Is there ever a situation where you
16 conducted an investigation of compensation
17 discrimination and at the end of gathering all the
18 information you don't talk to someone in legal?
19 **A.** I can't say one way or the other.
20 **Q.** And that's because of your counsel's
21 instruction?
22 **A.** You're asking me generally about a universe
23 of claims and cases. I can't say that that could --
24 whether or not that could happen.
25 Because every case is definitely based on

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1 the case.
2 MR. PARKER: When you get a chance, let's
3 go off the record, and maybe we can see what we're
4 running into. I don't know.
5 It's up to you, but I think it may help or
6 not help, but at least it would help me.
7 MS. BREMER: Okay. Let's go off the
8 record.
9 THE VIDEOGRAPHER: We're going off the
10 record. The time is 12:08 p.m. This marks the end
11 of media No. 3.
12 (Recess taken.)
13 THE VIDEOGRAPHER: We're back on the
14 record. The time is 12:12 p.m. This marks the
15 beginning of media No. 4.
16 (Discussion off the record.)
17 BY MS. BREMER:
18 Q. Okay. Did you have a clarification for me?
19 A. I think we were going to finish your
20 question.
21 MR. PARKER: Yeah, let's do the question
22 first, and then your clarification.
23 THE WITNESS: What was your last question?
24 MR. PARKER: I think the clarification -- I
25 think the question pending -- Laura, correct me if

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1 A. And my clarification is I think I said I
2 don't know because I'm thinking in, again, the
3 universe of all cases, might there be a case that
4 that wouldn't happen. Sure, that's a possibility.
5 But if you're asking me generally would we
6 communicate to the accused? Yes, we would.
7 Q. And that's in cases involving compensation
8 discrimination?
9 A. That's -- I'm talking about all cases.
10 Q. Oh, all cases?
11 A. Any case. Any complaint. Yeah.
12 Q. So including cases of discrimination?
13 A. Yes. Including cases of discrimination.
14 Q. You've described some of the materials that
15 are collected during an investigation, some of the
16 steps that you've done and your team members.
17 Who reviews the materials that are
18 collected during an investigation?
19 A. The investigator, the attorney they're
20 working with.
21 Q. And what about you? Do you review the
22 files of your team members?
23 A. Not generally, no.
24 Q. Do you have access to the investigative
25 files of the people on your team?

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1 I'm wrong -- which is, when you come to an -- at the
2 end of an investigation, do you or do you not speak
3 to legal about the investigation?
4 THE WITNESS: Was that your question?
5 MS. BREMER: Yes.
6 THE WITNESS: Yes. The answer is yes.
7 Generally we would speak to legal at the end of the
8 investigation.
9 BY MS. BREMER:
10 Q. Okay. Are there situations in which you
11 would not talk to legal at the end of an
12 investigation?
13 A. I can't recall one where I didn't, but I
14 can't say for sure.
15 MR. PARKER: Now you want to do the
16 clarification?
17 MS. BREMER: Oh, yeah. Go ahead.
18 MR. PARKER: All right.
19 THE WITNESS: So you were asking me --
20 MR. PARKER: This is Exhibit 96.
21 THE WITNESS: -- about Exhibit 96, and on
22 page 7, about where we would communicate the results
23 of the investigation to accused individual.
24 BY MS. BREMER:
25 Q. Okay.

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1 A. If -- I would have access to whatever they
2 put in our shared Beehive folder, yes.
3 Q. And also whatever is on the NAVEX system?
4 A. I would have access to the HR cases on the
5 NAVEX system as well, yes.
6 Q. If a decision was made after a -- an
7 investigation of a complaint of compensation
8 discrimination not to take remedial action, would
9 that need to be discussed with the legal department?
10 MR. PARKER: Vague and ambiguous.
11 THE WITNESS: I think I've said before, we
12 generally talk to legal at the end of our
13 investigations, yes.
14 BY MS. BREMER:
15 Q. Okay. I guess I'm just wondering if there
16 are any circumstances where your group has authority
17 to take action at the end of the investigation
18 without involving the legal department?
19 A. What do you mean by "action"?
20 Q. Or not action. Nonaction. For example, if
21 the decision is not to take remedial action, would
22 you have to talk to the legal department before
23 making that determination?
24 A. That --
25 MR. PARKER: Vague and ambiguous.

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1 THE WITNESS: I'm not sure how to answer
2 that question. That's very abstract.
3 BY MS. BREMER:
4 Q. Are there any cases where you or your team
5 has conducted an investigation of compensation
6 discrimination and -- well, let me first ask this
7 question: When you -- after you gather all the
8 information, conduct an investigation of
9 compensation discrimination, you've said that you
10 generally talk to legal.
11 Do you -- what -- do you make a preliminary
12 decision or decision or recommendation? What is the
13 last thing that you do before talking to legal?
14 A. That depends on the case.
15 MR. PARKER: It's compound.
16 BY MS. BREMER:
17 Q. Is your group -- does your group have the
18 authority to make any decisions on its own, for
19 example, not to make an adjustment of pay, without
20 talking to legal first?
21 MR. PARKER: Asked and answered.
22 THE WITNESS: I don't think I can answer
23 that question. I'm not sure what you're asking me.
24 MR. PARKER: Let me just try to --
25 THE WITNESS: You think we already answered

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1 BY MS. BREMER:
2 Q. Let me -- after you've completed an
3 investigation in terms of gathering all the
4 information, do you talk to anyone else about that
5 besides legal?
6 MR. PARKER: Vague and ambiguous.
7 Compound.
8 THE WITNESS: The only thing I can say,
9 again, who we talk to during the course of an
10 investigation depends solely on the nature of that
11 case. There's no way I can answer that in general
12 terms.
13 BY MS. BREMER:
14 Q. Okay. Once a decision has been made
15 regarding a complaint of discrimination, how are the
16 results of the investigation documented?
17 MR. PARKER: Compound. Vague and
18 ambiguous.
19 THE WITNESS: Again, that depends on the
20 case itself. There's no general answer for that
21 question.
22 BY MS. BREMER:
23 Q. Okay. If there were documentation, it
24 would -- would it be either in Beehive or the -- the
25 NAVEX system?

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1 it?
2 MR. PARKER: I do. Once you finish an
3 investigation --
4 THE WITNESS: Uh-huh.
5 MR. PARKER: -- do you go to legal with the
6 results and legal decides what steps should be
7 taken? Or do you independently, in your group, make
8 the decision as to what steps should be taken as a
9 result of the investigation?
10 THE WITNESS: We don't make independent
11 decisions about what -- generally speaking, we would
12 not. We would do it in conjunction with legal.
13 BY MS. BREMER:
14 Q. And are there specific instances where you
15 would not have to make the decision in conjunction
16 with legal?
17 A. Every case is different. And what we do or
18 don't do in any given case depends on that case. I
19 can't make a general statement about whether we have
20 to go to legal or not. It depends on the case.
21 Q. After an investigation is completed, do you
22 talk to the results -- or talk to anyone else about
23 the results of the investigation other than legal?
24 MR. PARKER: Vague and ambiguous.
25

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1 A. About -- documentation specifically about
2 what? What are you asking again?
3 Q. The results of an investigation.
4 A. What the investigator determined in the
5 investigation?
6 Q. Yes.
7 A. It could -- if there is documentation of
8 results, it could be in Beehive, it could be in
9 NAVEX. Yes.
10 Q. Anywhere else?
11 A. I don't know.
12 Q. Okay. So looking back at Exhibit 96, where
13 it says that during investigations or after
14 investigations the results are communicated to the
15 complaining individual, what -- or how are the
16 findings of the investigation communicated to the
17 complaining individual?
18 A. Again, there's no cookie-cutter answer to
19 that. It would depend on the case and the
20 investigator and the lawyer working on that case how
21 it would be communicated.
22 Q. Are the findings always communicated in
23 writing?
24 MR. PARKER: Asked and answered.
25 THE WITNESS: Again, it would depend on the

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1 case how the findings were communicated.
2 BY MS. BREMER:
3 Q. Can you think of an instance where there's
4 been an investigation and the results were not
5 communicated in writing?
6 A. Not off the top of my head.
7 MS. BREMER: Why don't we go ahead and
8 break for lunch.
9 MR. PARKER: Okay.
10 THE VIDEOGRAPHER: We're going off the
11 record. The time is 12:23 p.m. This marks the end
12 of media No. 4.
13 (Recess taken.)
14 THE VIDEOGRAPHER: We're back on the
15 record. The time is 1:27 p.m. This marks the
16 beginning of media No. 5.
17 MS. BREMER: Okay. I'd like to mark as
18 Exhibit 97 a document entitled "HR Investigations
19 Training Handout." It's Bates marked
20 ORACLE_HQCA_381081 through 97.
21 THE WITNESS: So while she's marking that,
22 there was one clarification --
23 THE VIDEOGRAPHER: You have to hold on so
24 she can mark it.
25 THE WITNESS: Oh, sorry.

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1 business partners and things, you know,
2 investigations that they do. Do they conduct the
3 investigations themselves, or do they have staff who
4 either conduct those investigations or help them
5 with investigations?
6 A. You would -- as far as I know, if you're an
7 HR business partner, you would conduct an
8 investigation yourself and with your legal partner.
9 Q. Okay. Go ahead and take a look at
10 Exhibit 97.
11 A. Okay.
12 Q. Are you familiar with this document?
13 A. Yes.
14 Q. What is it?
15 A. This document, we create -- my team created
16 this document, my investigators, as a handout that
17 we use in our investigations training for HR
18 business partners.
19 Q. And so that was a training to -- that
20 accompanied Exhibit 96 that we discussed earlier?
21 A. Not necessarily.
22 Q. Okay. What training are you talking about
23 then?
24 A. It's the same training in that it is
25 workplace investigations training for HR business

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1 (Whereupon, Exhibit 97 was marked for
2 identification.)
3 (Discussion off the record.)
4 THE WITNESS: I wanted to clarify a
5 question you asked me earlier, and my answer to a
6 question you asked me earlier. So you were -- we
7 were talking about -- you asked me, I believe,
8 something along the lines of where do I -- where do
9 we put the interview notes or the information we
10 gather in the investigation and I said I don't know.
11 So I talked to you about what I do
12 specifically.
13 BY MS. BREMER:
14 Q. Okay. Right.
15 A. So what I'd like to add to that answer is,
16 as a general rule, HR business partners and the
17 people who work on my team are supposed to put their
18 investigation files in a particular place, the
19 Beehive folder, as we talked about earlier.
20 I can't, however, 100 percent guarantee
21 that that always happens, but that is our general
22 practice.
23 Q. Okay. Thank you.
24 A. You're very welcome.
25 Q. And a couple times you've mentioned HR

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1 partners, but this is from 2015, the mechanics of an
2 investigation presentation. This is a relatively
3 new document. I think we created this one last
4 year, maybe, 2018.
5 Q. So --
6 A. Not exactly sure when, after this.
7 Q. Okay. So you're using a lot of "this" and
8 "that."
9 A. Oh, sorry. Yeah. I'm pointing.
10 Q. So when you say "this was created in 2015,"
11 you're referring to the Mechanics of an HR
12 Investigation, Exhibit 96?
13 A. Exhibit 96, right, was created in 2015.
14 Q. Okay.
15 A. Exhibit 97 is much newer than that.
16 Q. Okay. And when did you say that Exhibit 97
17 was created?
18 A. Off the top of my head, my best estimate is
19 sometime in 2018.
20 Q. Okay. And again, this was training then
21 for the HR business partners who conduct
22 investigations?
23 A. It's for HR business partners, correct.
24 Q. Okay. And so looking at Roman -- and is
25 this -- is Exhibit 97 a true and correct copy of the

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1 HR investigations training handout that your group
2 prepared?
3 **A.** As far as I know, yeah. It looks like our
4 document.
5 **Q.** Okay. So looking at subheading A, it says
6 "Planning." So your group was advising the HR
7 business partners to create a plan and plan their
8 investigation after they receive a complaint?
9 **A.** This particular handout is for our
10 particular training and is, like, used by the folks
11 in the training as we walk through a mock
12 investigation.
13 **Q.** Okay. And what's the mock investigation?
14 **A.** It's just made-up facts.
15 **Q.** Right. What's the subject matter?
16 **A.** Oh, gosh. It -- I don't even remember. I
17 don't remember exactly. Maybe it's in here
18 somewhere.
19 I don't -- it's a mock investigation we use
20 just to demonstrate different aspects that could
21 potentially come up in an investigation.
22 **Q.** Okay. And the first step in an
23 investigation would be planning the investigation;
24 is that right?
25 **A.** Not necessarily.

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1 investigation would be conducted?
2 **A.** No.
3 **Q.** What was the intent of this?
4 **A.** The intent of this training that we conduct
5 on a regular basis is to help ensure that our HR
6 business partners have an opportunity to discuss
7 what they might do in investigations and hone their
8 skills and practice. Practice interviewing skills,
9 practice tips of things to remember that are
10 important. Things like that.
11 It's just -- it's not -- we're not training
12 anyone on a process.
13 **Q.** Okay. So you're providing practice and
14 tips.
15 Did you provide any practice to the HR
16 business partners regarding compensation
17 discrimination complaints?
18 **A.** Not the -- not that I can definitely
19 recall.
20 **Q.** Have you -- during the trainings of HR
21 business partners for investigations, have you
22 provided them with any tips on what to do when
23 they're investigating a claim of compensation
24 discrimination?
25 **A.** The tips that we provide, in my

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1 **Q.** No? What other first steps would there be?
2 **A.** It depends on the nature of the case.
3 **Q.** Have you -- has your group ever provided
4 the training to the HR business partners regarding
5 how to conduct a -- an investigation regarding
6 compensation discrimination?
7 **A.** We conduct training about how to -- about
8 HR investigations in general. Are you asking if the
9 training includes something specific about
10 discrimination?
11 **Q.** Yes.
12 **A.** I would say yes, because we do talk
13 about --
14 **MR. PARKER:** She's asking about
15 compensation discrimination.
16 **THE WITNESS:** Oh, specifically?
17 **BY MS. BREMER:**
18 **Q.** Yes.
19 **A.** I think -- I'm doing this off the top of my
20 head, but I think we're probably more generic than
21 that, talk about discrimination, harassment, various
22 types of complaints you might receive.
23 **Q.** In the exercise that you conducted with
24 this HR investigations training handout, was that
25 intended to be an example of how -- how an

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

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

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1 A. Yes.
2 Q. Okay. So there's -- and it provides tips
3 on conducting interviews, correct?
4 A. Correct.
5 Q. Has your team provided tips on how to
6 analyze compensation in a compensation
7 discrimination investigation?
8 A. No.
9 Q. What training have the HR investigators
10 received on analyzing compensation when conducting
11 an investigation of compensation discrimination?
12 MR. PARKER: Assumes facts. Vague and
13 ambiguous.
14 THE WITNESS: I'm not sure what you mean.
15 MS. BREMER: Okay. So --
16 THE WITNESS: Sorry. You weren't done.
17 MR. PARKER: That's all right.
18 THE WITNESS: Didn't mean to step on you.
19 BY MS. BREMER:
20 Q. So we've been talking about what training
21 the HR investigators, your group, provides to the HR
22 business partners about conducting investigations.
23 Now I'm wondering what training your group
24 has received and your HR investigators about
25 investigations.

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

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1 A. About investigations in general?
2 Q. Specifically compensation discrimination
3 investigations.
4 A. So I would say all of my investigators have
5 been doing investigations for a very long time.
6 Some of them have been through formal investigations
7 training, as have I.
8 But I don't know of any training specific
9 about how to -- I'm not -- about
10 compensation-related cases specifically.
11 Q. What formal investigations training have
12 you been through?
13 A. I attended a week-long certificate course
14 from the Association of Workplace Investigators.
15 Q. And who --
16 A. I've attended our investigations training
17 every year multiple times a year since 2014. The
18 one that we run.
19 Q. Right. The one that we were --
20 A. Just talking about. Uh-huh.
21 Q. -- just discussing. Right.
22 Okay. The Association of Workplace
23 Investigations --
24 A. Investigators.
25 Q. 'tors. Have you -- when did you attend the

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

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1 **BY MS. BREMER:**
2 **Q.** Well, let me ask again then.
3 **A.** Sure.
4 **Q.** Did the training that you received from the
5 Association of Workplace Investigators include any
6 training on analyzing compensation?
7 **MR. PARKER:** You can go ahead and answer
8 that question.
9 Let me just, just for form's sake, vague
10 and ambiguous.
11 Have at it.
12 **THE WITNESS:** No. Not that I recall.
13 **BY MS. BREMER:**
14 **Q.** Was -- have you attended any training on
15 conducting statistical analyses of compensation?
16 **A.** No.
17 **Q.** Have you ever conducted statistical
18 analyses of compensation as part of your
19 investigation of discrimination complaints?
20 **A.** I can't answer what I may or may not have
21 done in any given investigation because that would
22 be --
23 **MR. PARKER:** You can answer that just yes
24 or no.
25 **THE WITNESS:** Generally?

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1 2019, was there a discussion about conducting
2 investigations of compensation discrimination?
3 **A.** No.
4 **Q.** And what about discrimination in general?
5 **A.** I'm sure they mentioned discrimination at
6 some point, but the context of investigations is not
7 really the focus of that training.
8 So it's not just for HR professionals.
9 There's also private investigators and lawyers
10 there, so sort of HR-centric, but they don't talk a
11 lot about, you know, what is discrimination and
12 harassment. They're not talking about that.
13 It's more about the process that you might
14 follow to investigate and what are some tips and
15 things to remember, interviewing skills, how to do
16 good interviews. Things like that.
17 **Q.** And what about gathering information or
18 conducting analyses of compensation? Did --
19 **A.** No.
20 **MR. PARKER:** If you don't mind, just give
21 me a chance because I was going to say compound, but
22 you've answered the question.
23 **THE WITNESS:** Oh, sorry. Sorry. I didn't
24 even listen to her whole question. I may have cut
25 you off.

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1 **MR. PARKER:** Yeah, just yes or no.
2 **THE WITNESS:** Personally, me specifically?
3 **MR. PARKER:** Yes. That's the question.
4 **THE WITNESS:** No.
5 **BY MS. BREMER:**
6 **Q.** Have you worked with anyone else or
7 obtained statistical analyses of compensation during
8 an investigation of compensation discrimination?
9 **MR. PARKER:** Now I'll assert the privilege.
10 Instruct not to answer.
11 **THE WITNESS:** I'm not going to -- I can't
12 answer that question.
13 **BY MS. BREMER:**
14 **Q.** And that's because of your attorney's
15 instruction?
16 **A.** That's because that information is the part
17 of our investigation that's at the direction of
18 counsel. Yes.
19 **Q.** What training have you received regarding
20 discrimination other than the training given to all
21 employees at Oracle?
22 **A.** Are you asking me about a specific time
23 frame or...?
24 **Q.** I'm talking about -- actually, no, I'm not
25 talking about a specific time frame.

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1 A. So --
2 Q. Have you ever received -- have you ever
3 received training regarding discrimination other
4 than the training that's given to all employees at
5 Oracle?
6 A. Yes.
7 Q. Okay. And what training was that?
8 A. I have been involved in training over the
9 years as an HR professional on HR topics, including
10 discrimination, yes.
11 Q. When you say you've been involved --
12 A. I mean I've -- I've attended trainings.
13 Yes.
14 Q. And what trainings are those?
15 A. I don't know that I could remember exactly
16 all of them, but in general, I many times would
17 attend an annual California Legal Review. I
18 attended lots of courses relative to a certification
19 from SHRM. I've attended other webinars or
20 conferences given by SHRM or other similar
21 organizations.
22 Q. What's SHRM?
23 A. The Society for Human Resource Management.
24 Q. And did any of those trainings specifically
25 discuss compensation discrimination?

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1 Q. What are typical closure documents that --
2 A. Investigations are not typical.
3 MR. PARKER: Assumes facts.
4 BY MS. BREMER:
5 Q. If you look at the next page, 11.
6 A. Yes.
7 Q. "Closure of an Investigation." Do you see
8 that?
9 A. I do.
10 Q. And is this an accurate description of what
11 happens when an investigation is closed?
12 MR. PARKER: Compound. Vague and
13 ambiguous.
14 THE WITNESS: Can you repeat the question?
15 BY MS. BREMER:
16 Q. Is this an accurate description of what
17 happens when an investigation is closed?
18 MR. PARKER: Same objections.
19 THE WITNESS: Every case is different. So
20 what may happen in terms of the closure of an
21 investigation would again depend on the nature of
22 that investigation.
23 BY MS. BREMER:
24 Q. And this is general information that you're
25 providing to the HR business partners who are -- on

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1 A. I don't know. I don't remember.
2 Q. You don't recall any that do?
3 A. Not off the top of my head. No.
4 Q. Turning to page 10 of the HR investigations
5 training handout --
6 A. Sure.
7 Q. -- one of the tips -- or actually, this is
8 under the "Analysis and Conclusion" section, it
9 says, "Make Findings - what did the investigation
10 determine about each of the allegations?"
11 So the HR business partners make findings
12 after they conduct their investigation, correct?
13 A. They can, yes.
14 Q. Okay. And then before closing the
15 investigation, they generally confer again with
16 legal to review their findings; is that correct?
17 That's at the bottom of the document, or this page.
18 A. As a general rule, that is the case. Yes.
19 Q. And it says "and any closure documents."
20 What closure documents are generally
21 prepared after an investigation of compensation
22 discrimination?
23 A. I don't know. That's a general and
24 abstract question, and I can't tell you what might
25 happen in any given investigation.

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1 how to conduct investigations, right?
2 A. No. That's not what I said.
3 Q. General tips about investigations.
4 A. These are things for them --
5 MR. PARKER: Misstates the testimony.
6 THE WITNESS: I didn't state -- this is
7 things for them to consider in their investigations.
8 BY MS. BREMER:
9 Q. Okay. And during an investigation -- after
10 an investigation of a discrimination complaint, if
11 remedial action is taken, do you advise the
12 complaining employee about it?
13 MR. PARKER: "You" meaning her personally
14 or Oracle?
15 BY MS. BREMER:
16 Q. Oracle.
17 A. Again, I can't answer as to what may happen
18 in any specific investigation.
19 MR. PARKER: It was asked and answered
20 earlier today.
21 MS. BREMER: Okay. I'd like to mark as
22 Exhibit 99 --
23 MR. GARCIA: 98.
24 MS. BREMER: Oh -- 98 a document Bates
25 labeled ORACLE_HQCA_416517 through -- that's it.

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

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1 [REDACTED] complaint?
2 A. I have -- I don't know personally if
3 there's information about this complaint, no.
4 Q. And on behalf of Oracle, you're not
5 answering pursuant to your counsel's instruction?
6 A. I just --
7 MR. PARKER: Not as to the specifics of the
8 complaint, no, she's not -- I mean, the specifics of
9 the investigation, she is not.
10 BY MS. BREMER:
11 Q. Okay. Do you know what the results of the
12 investigation regarding this 2016 complaint by
13 [REDACTED] were?
14 A. I do not.
15 MS. BREMER: I'm going to mark as
16 Exhibit 99 a document Bates labeled
17 ORACLE_HQCA_547809 through 10.
18 (Whereupon, Exhibit 99 was marked for
19 identification.)
20 BY MS. BREMER:
21 Q. Have you seen Exhibit 99 before?
22 A. Yes, I believe so.
23 Q. Is it a true and correct copy of this
24 string of emails from March 31st, 2016 through
25 September 1st, 2017?

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

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

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1 employees.
2 **Q.** Do you know what was done to investigate
3 this complaint?
4 **A.** I do not.
5 **Q.** If -- in a situation involving -- or
6 claiming giving preference to Indians, is -- what
7 would Oracle's practice be in investigating that
8 complaint?
9 **A.** We don't have a general practice as it
10 pertains to how we investigate any complaint. We
11 take all complaints seriously and look into them as
12 is appropriate.
13 **Q.** Do you know who [REDACTED] is that's referenced
14 in these emails?
15 **A.** I don't. I don't even see a last name. I
16 have no idea.
17 **Q.** And what about [REDACTED]
18 **A.** No.
19 **Q.** Was this complaint investigated by your
20 group?
21 **A.** I don't know.
22 **MS. BREMER:** Let me mark as Exhibit 100 a
23 memorandum dated November 9th, 2017.
24 (Whereupon, Exhibit 100 was marked for
25 identification.)

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1 **A.** I can't make -- I can't answer that
2 question.
3 **MR. PARKER:** Do they do so as a general
4 rule?
5 **THE WITNESS:** As a general rule, like I
6 clarified earlier, they would review the results,
7 yes, with the investigator. The investigation.
8 That's our general practice.
9 **BY MS. BREMER:**
10 **Q.** So looking at this memorandum, it says, "On
11 September 7th, 2017 you contacted human resources to
12 report your concerns with your managers.
13 Specifically, the concerns you reported including
14 concerns that your manager is biased toward Indian
15 employees and made inappropriate comments about
16 women. You also informed me that you were upset
17 that your manager was mentoring one of your
18 employees and that this employee may have given
19 preferential treatment to Indian candidates."
20 It says, "As a result of your concerns we
21 conducted an investigation."
22 Do you know what investigation was
23 conducted?
24 **MR. PARKER:** Calls for attorney-client
25 privilege. Instruct not to answer.

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1 **BY MS. BREMER:**
2 **Q.** Have you seen this document before?
3 **A.** Yes.
4 **Q.** Is it a true and correct copy of a
5 memorandum from Mark Lane to [REDACTED] -- or, yes, to
6 [REDACTED] dated November 9th, 2017?
7 **A.** As far as I know.
8 **Q.** Is Mark Lane one of the investigators on
9 your team?
10 **A.** Yes. He is.
11 **Q.** And is his title senior employee practices
12 consultant?
13 **A.** His discretionary title, yes.
14 **Q.** Did you see this memorandum before it was
15 sent to [REDACTED]?
16 **A.** I don't know.
17 **Q.** Is it your practice to review memorandum of
18 investigation results before they're sent to the
19 complainants?
20 **A.** No.
21 **Q.** Who does review memorandum of investigation
22 results before they're sent to complainants?
23 **A.** The legal department.
24 **Q.** And do they review all results of
25 investigations?

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1 Well, you can answer yes or no to the
2 question. Do you know what was done?
3 **THE WITNESS:** No, I do not know what was
4 done.
5 **BY MS. BREMER:**
6 **Q.** So it states, "The investigation included
7 interviews with you on September 20th, 2017 and
8 interviews with management and other employees, as
9 well as a review of various records, emails and
10 files."
11 Do you know what records, emails, and files
12 were reviewed?
13 **A.** I do not.
14 **MR. PARKER:** And understand, just so the
15 record is clear, even if she did, I would instruct
16 her not to answer, asserting privilege.
17 **BY MS. BREMER:**
18 **Q.** And the documentation would be in the
19 Beehive?
20 **A.** As a general practice, if the case were
21 closed, that's where it would be, yes.
22 **Q.** Okay. The third paragraph says, "The
23 results of this investigation revealed no evidence
24 that your manager has bias towards Indian employees
25 or that he made inappropriate comments about women.

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1 Additionally, we found no reason to believe that
2 your manager's mentoring of one of your employees on
3 your team was inappropriate. We also have no
4 evidence" --
5 **A.** The last sentence --
6 **Q.** -- "being given by this employee to Indian
7 candidates."
8 In an investigation of bias, would
9 [REDACTED]'s statements be considered evidence?
10 **MR. PARKER:** Calls for a legal conclusion.
11 Vague and ambiguous.
12 **THE WITNESS:** I don't know.
13 **BY MS. BREMER:**
14 **Q.** At the bottom it says, "Let me remind you
15 that the contents of this investigation are
16 confidential, and will be disclosed only to those
17 individuals who have a legitimate business reason to
18 know."
19 Who -- in this investigation, who would
20 receive the results of the investigation?
21 **A.** I don't know who received the results of
22 this investigation.
23 **Q.** Okay. So, clearly, [REDACTED] received
24 the results, right?
25 **A.** Well, clearly, there was a memorandum that

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

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1 was addressed to her, so I guess we could make the
2 assumption that this was sent to her.
3 **Q.** Would it be general practice to also send
4 the results of an investigation into bias by a
5 particular manager to the manager?
6 **MR. PARKER:** Vague and ambiguous as to the
7 term "results," and also, that was asked and
8 answered this morning.
9 **MS. BREMER:** Well, now I'm asking it
10 specifically with respect to this investigation.
11 **MR. PARKER:** And she's already answered the
12 question.
13 I'm sorry. You're saying would it
14 typically be normal with -- in this investigation to
15 send this to the manager?
16 **MS. BREMER:** Yes.
17 **MR. PARKER:** So that's vague and ambiguous.
18 **BY MS. BREMER:**
19 **Q.** In an investigation where an employee is
20 accusing a manager of bias, is it general practice
21 to send the results of the investigation to the
22 accused manager?
23 **MR. PARKER:** Vague and ambiguous as to the
24 word "results," and asked and answered.
25 **MS. BREMER:** This memo is called

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1 of investigation," and this was asked and answered.
2 In fact, we corrected the testimony so that it was
3 clearly answered.
4 But you can answer the best you can.
5 **THE WITNESS:** As I said earlier, when we
6 were talking about Exhibit -- I think it was when we
7 were talking about Exhibit 97 before, yes, generally
8 as a general practice, you could -- you would expect
9 that an accused employee may be told what was --
10 what was determined in an investigation.
11 But that is -- again, I cannot say that
12 that happens in every case.
13 **BY MS. BREMER:**
14 **Q.** Okay. And who else obtains the
15 determinations of an investigation?
16 **MR. PARKER:** Vague and ambiguous.
17 Compound.
18 **BY MS. BREMER:**
19 **Q.** The complaining employee, accused -- if
20 someone has been accused, they receive the findings
21 or results. Is there someone -- and legal, we've
22 talked about them.
23 Is there anybody else who receives the
24 findings of an investigation?
25 **MR. PARKER:** Vague and ambiguous. Portion

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1 misstates her testimony, and it's compound.
2 THE WITNESS: Do you want to try again?
3 MR. PARKER: She doesn't. She's not going
4 to restate that question. She can -- she'll not
5 reframe it, so just answer the question if you can.
6 THE WITNESS: So repeat your question, I'm
7 sorry.
8 BY MS. BREMER:
9 Q. Other than the complaining employee, the
10 accused, and legal, does anyone else receive the
11 results or findings of investigations of
12 discrimination?
13 MR. PARKER: Same objections.
14 THE WITNESS: I can't answer the question
15 as pertains to any specific investigation or
16 specifically about discrimination, but are you
17 asking me if memorandums like Exhibit 100 go to
18 other parties?
19 BY MS. BREMER:
20 Q. Yes.
21 A. No.
22 Q. Do other parties receive --
23 A. Let me reframe that. Excuse me. Sorry.
24 Let me clarify one point.
25 There is -- there may be cases where this

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1 BY MS. BREMER:
2 Q. Okay. We've talked about who receives
3 copies of investigation results such as the
4 memorandum that's in Exhibit 100.
5 Are there other types of memorandum or
6 summaries of investigation results that would be
7 sent to other people than the ones we've discussed?
8 A. Not that I'm aware of.
9 MS. BREMER: Okay. I'm going to mark as
10 Exhibit 101 a document dated October 25th, 2018 from
11 [REDACTED] to Chad Zeller.
12 THE WITNESS: Uh-huh.
13 MS. BREMER: It's Bates stamped
14 ORACLE_HQCA_547812 through 814.
15 (Whereupon, Exhibit 101 was marked for
16 identification.)
17 BY MS. BREMER:
18 Q. Have you seen this email before?
19 A. Yes.
20 Q. Is it a true and correct copy of an email
21 dated October 25th, 2018 from [REDACTED] to Chad
22 Zeller?
23 A. As far as I know.
24 Q. So in the first paragraph it says, "Hi
25 Chad, [REDACTED] email to me and another article I was

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1 memo -- a memorandum such as Exhibit 100 could be
2 seen by the specific HR business partner for the
3 accused or the complainant. Again, not carved in
4 stone. It could happen if they happen to be
5 involved somehow.
6 Q. And does anyone else receive investigation
7 results such as Exhibit 100, such as OFCCP's
8 compliance -- like Shauna Holman-Harries, for
9 example?
10 MR. PARKER: It's vague and ambiguous.
11 THE WITNESS: Is your question whether
12 Shauna -- my colleague Shauna Holman-Harries
13 receives these types of documents?
14 BY MS. BREMER:
15 Q. Yes.
16 A. As Exhibit 100?
17 Q. Right.
18 A. Not as far as I know.
19 Q. Does she receive any other reporting from
20 your group on investigations of compensation
21 discrimination claims?
22 MR. PARKER: Vague and ambiguous as framed.
23 THE WITNESS: I don't interact with her on
24 investigations at all.
25

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1 reading about gaslighting made me realize that some
2 comments and behavior from [REDACTED] in the past were
3 essentially his saying that if it were him and he
4 weren't getting along with his boss, he would leave
5 or quit, implying or begging the question why I
6 don't."
7 And the email also says, "His treatment of
8 me seems different based primarily on me being
9 female and perhaps also because I'm not Christian or
10 Indian."
11 What action did Oracle take as a result of
12 this email?
13 A. I don't know.
14 Q. Were you involved in the investigation of
15 the claims?
16 MR. PARKER: Sorry, do you know whether an
17 investigation was done?
18 THE WITNESS: No idea.
19 MR. PARKER: Okay. You'd need to see
20 another document to make that determination?
21 THE WITNESS: Yes. Correct.
22 BY MS. BREMER:
23 Q. If you look in the second paragraph, it
24 says, "In the past in April when I went to discuss
25 concerns about my work with [REDACTED] he was very

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1 supportive and immediately understood my concerns
2 even though previously when I'd raised the concerns
3 to ██████ had often acted as if I were not
4 understandable or he would belittle me or
5 aggressively interrupt me and not let me complete my
6 explanations in his meetings."
7 How would you -- if you received a
8 complaint like this, how would you go about
9 investigating it?
10 **A.** As I've said before, I would, as the
11 investigator, conduct an intake, either before or
12 after discussing the complaint with legal, and then
13 work with our employment attorney on conducting the
14 investigation.
15 **Q.** Do you know -- would you consider the
16 allegations in this complaint to be of bullying and
17 harassment?
18 **A.** That's a legal determination.
19 **Q.** Do you know who ██████ is referred to in
20 this email?
21 **A.** I do not.
22 **Q.** What about ██████?
23 **A.** I do know who ██████ is.
24 **Q.** Who is that?
25 **A.** If I'm thinking about the right person, I

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1 **Q.** What's HRBP?
2 **A.** HR business partner.
3 **Q.** At the bottom it says -- bottom of the
4 first paragraph, it says, "You indicated that you
5 had noticed his increased sensitivity since the
6 conclusion of Oracle's initial investigation."
7 Do you know what that's referencing?
8 **A.** I do not.
9 **Q.** And the next paragraph says, "In
10 conclusion, you asked if you could withdraw your
11 complaint as you believe the HR business partner's
12 actions corrected your concerns regarding your
13 manager's manager."
14 What happens when someone withdraws their
15 complaint?
16 **A.** There's nothing standard that happens. It
17 depends on the circumstances.
18 **Q.** And what about in this case?
19 **A.** I don't know.
20 **Q.** If someone -- do you know if there was any
21 broader inquiry into the manager's manager's conduct
22 that was at issue?
23 **A.** I don't know. I don't know what she's
24 referring to there.
25 **Q.** Is it your understanding that Exhibit 102

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1 believe he works in our marketing department. But
2 I'm not 100 percent sure.
3 I may be thinking of a different person.
4 **Q.** And what about ██████?
5 **A.** I don't know who that is.
6 MS. BREMER: Okay. I'll mark as
7 Exhibit 102 a document from Michelle Nofer to
8 ██████ dated December 13th, 2018.
9 (Whereupon, Exhibit 102 was marked for
10 identification.)
11 BY MS. BREMER:
12 **Q.** Have you seen this document before?
13 **A.** Yes.
14 **Q.** Is it a true and correct copy of an email
15 from ██████ -- I mean, from Michelle Nofer to
16 ██████?
17 **A.** As far as I know.
18 **Q.** And sent on or about December 13th, 2018?
19 **A.** Yes.
20 **Q.** And who is Michelle Nofer?
21 **A.** She's one of our HR investigators. She
22 works for me.
23 **Q.** Was an investigation conducted regarding
24 ██████ complaint prior to this email?
25 **A.** I don't know.

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1 is a response to the complaint made in Exhibit 101?
2 **A.** I don't know.
3 **Q.** If someone makes a claim of harassment,
4 bullying, potential discrimination, and retaliation,
5 and then later withdraws the complaint, does Oracle
6 continue an investigation, or does the investigation
7 stop?
8 **A.** I can't answer that question in general,
9 but it would depend. So it's not -- neither one of
10 those statements is true, that we would always do
11 something or always not do something.
12 **Q.** And what would Oracle generally do?
13 **A.** I don't know what Oracle would generally
14 do.
15 **Q.** If someone drops a discrimination
16 complaint, you don't know if the general result --
17 well, let's look at this one.
18 Do you know in this case whether there was
19 further investigation of the claims of
20 discrimination and potential retaliation after this
21 December 13th, 2018 email?
22 **A.** I do not.
23 **Q.** And if there were further investigation,
24 would there be a finding of investigation that would
25 be sent to the complainant?

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1 A. Could be.
2 Q. But not necessarily?
3 A. I can't say one way or the other.
4 MR. PARKER: You can't say one way or the
5 other because no -- it depends on the facts of the
6 case?
7 THE WITNESS: That's correct.
8 BY MS. BREMER:
9 Q. Well, I'm talking about the facts of this
10 particular case.
11 MR. PARKER: She's asked and answered
12 those. You've asked a more general question.
13 MS. BREMER: I'd like to mark as
14 Exhibit 103 a document dated December 7th, 2017 from
15 Karima Kassam to [REDACTED].
16 (Whereupon, Exhibit 103 was marked for
17 identification.)
18 BY MS. BREMER:
19 Q. Have you seen this document before?
20 A. Yes.
21 Q. Is it a true and correct copy of a
22 memorandum from Karima Kassam to [REDACTED] on or
23 about December 7th, 2017?
24 A. As far as I know.
25 Q. And who is Karima Kassam?

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1 that you did not know if your salary was low because
2 of your gender or some other reason."
3 What information do Oracle employees have
4 about their salaries?
5 MR. PARKER: Outside the scope and vague
6 and ambiguous.
7 BY MS. BREMER:
8 Q. Well, when they're -- if someone -- if an
9 Oracle employee wants to make -- has a concern that
10 their salary is low because of their gender, what
11 information do they have accessible to them that
12 they can base their complaint on?
13 MR. PARKER: Outside the scope. Vague and
14 ambiguous.
15 THE WITNESS: I'm not even sure how to
16 answer that question.
17 BY MS. BREMER:
18 Q. Do employees know their own salary range
19 for their job?
20 MR. PARKER: Outside the scope. Calls for
21 speculation. Lacks foundation. Vague and
22 ambiguous.
23 THE WITNESS: I don't know.
24 BY MS. BREMER:
25 Q. Is -- do you know if [REDACTED] was a

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1 A. Karima is one of the HR investigators that
2 works for me.
3 Q. This memo says, "As you know, you reported
4 concerns regarding your compensation."
5 What concerns did [REDACTED] raise?
6 A. I don't know.
7 Q. Do you know who she reported her concerns
8 to?
9 A. No, I do not.
10 Q. The next sentence says, "You and I spoke on
11 November 3rd, 2017. During our discussion, you
12 shared that you were aware that your salary was low
13 and out of the salary band."
14 What is the salary band?
15 A. We have salary -- I don't know what Karima
16 is referring to there, other than salary ranges
17 which we have at Oracle. She's just reiterating
18 what the allegations were.
19 Q. So the salary -- each position has a salary
20 range; is that right --
21 A. Yes.
22 Q. -- at Oracle?
23 A. That's correct.
24 Q. It says, "At that time, you requested an
25 increase in your compensation. You also reported

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1 female?
2 A. I don't. Does she say in here?
3 Q. Well, it says that you reported you did not
4 know if your salary was low because of your gender
5 or some other reason.
6 A. Just says "gender." I don't know if she's
7 male or female, or other, for that matter.
8 Q. The second paragraph says, "As I indicated
9 to you, Oracle takes these types of concerns very --
10 or concerns seriously and conducted a thorough
11 investigation of your concerns. The investigation
12 included interviews with you, as well as interviews
13 with other individuals including management. In
14 addition, I reviewed various records, emails and
15 files, including information you supplied relevant
16 to this matter."
17 What investigation was conducted regarding
18 [REDACTED] complaint of discrimination?
19 MR. PARKER: Instruct not to answer based
20 on attorney-client privilege.
21 BY MS. BREMER:
22 Q. Do you know who the other individuals, or
23 who was interviewed in the process of this
24 investigation?
25 MR. PARKER: Same objections. Instruct not

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1 to answer.
2 BY MS. BREMER:
3 Q. And are you not answering?
4 MR. PARKER: You don't have to keep asking
5 her that. She's not going to answer.
6 MS. BREMER: Okay. I just wanted the
7 record to be clear.
8 MR. PARKER: I think it's clear.
9 MS. BREMER: Okay.
10 Q. It also says, "I reviewed various records,
11 emails and files."
12 What records, emails and files were
13 reviewed?
14 MR. PARKER: Same objection. Same
15 instruction.
16 BY MS. BREMER:
17 Q. The memo goes on to say, "Based on the
18 findings of the investigation, I found no evidence
19 that your gender (or any inappropriate factors)
20 played a role in the decisions regarding your salary
21 or the level of your salary, generally. The
22 investigation revealed that there were and are
23 several bona fide business factors contributing to
24 the level of your salary, including job changes over
25 the course of your tenure with the company, your

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1 that information be provided to her?
2 MR. PARKER: Incomplete hypothetical.
3 Calls for speculation.
4 THE WITNESS: I can't speculate on what
5 would or would not be provided to [REDACTED].
6 BY MS. BREMER:
7 Q. Well, this -- does Oracle have a policy one
8 way or the other of providing information about
9 other people's salaries to somebody?
10 MR. PARKER: Outside the scope. Vague and
11 ambiguous. Calls for speculation.
12 THE WITNESS: What is your question again?
13 BY MS. BREMER:
14 Q. Does Oracle have a policy or a practice
15 regarding providing information about other people's
16 salaries to a person?
17 A. You are asking about all of Oracle, is
18 there a policy? Is that your question?
19 Q. Well, I'm really asking about your group
20 who conducts investigations.
21 A. We don't set policy.
22 Q. I know, but -- okay. I'm talking about
23 following policy.
24 A. Okay. When you ask me a question, "does
25 Oracle," then I immediately go to, "does Oracle,"

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1 position when you started with Oracle, your starting
2 salary at Oracle, as well as budgetary constraints
3 that impacted the ability to give annual adjustments
4 to make larger adjustments to your salary during
5 focal processes."
6 Was any other information given to [REDACTED]
7 [REDACTED] regarding the findings of the investigation?
8 A. I don't know.
9 Q. Are you aware -- would it be Oracle's
10 practice to provide additional information other
11 than outlined in the investigation results to people
12 who complain about discrimination?
13 A. I don't -- again, a general practice is not
14 something that I would apply in this circumstance.
15 It would depend on the nature and facts of the case
16 what we would provide to the complainant or
17 reporter.
18 Q. Would -- so say [REDACTED] asked about
19 information regarding her salary. Would that be
20 provided to her?
21 MR. PARKER: Assumes facts. It's an
22 incomplete hypothetical. Vague and ambiguous.
23 BY MS. BREMER:
24 Q. If [REDACTED] asked, for example, what
25 compensation her male colleagues were making, would

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1 right?
2 Q. Right.
3 A. This huge company with lots of
4 jurisdictional requirements. And so I can't answer
5 unless you're being a little more narrow. It's too
6 broad.
7 Q. All right. You're supposed to be
8 testifying on behalf of Oracle --
9 A. Sure.
10 Q. -- which is why I ask you --
11 MR. PARKER: But not on this topic.
12 THE WITNESS: Not on this topic so --
13 MR. PARKER: It's a different thing.
14 If you can answer, you can do your best at
15 doing that.
16 THE WITNESS: Here's what I would say. In
17 my experience as an HR professional at Oracle, we do
18 not, as a practice -- this would be in the
19 United States -- share people's -- one employee's
20 salary with another employee. No.
21 BY MS. BREMER:
22 Q. So this memo talks about "budgetary
23 constraints that impacted the ability to give annual
24 adjustments to make larger adjustments to your
25 salary during focal processes."

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1 What budgetary constraints impact the
2 ability to give annual adjustments during focal
3 processes?
4 MR. PARKER: Outside the scope. Vague and
5 ambiguous. Calls for speculation. Lacks
6 foundation.
7 She's not asking about this document.
8 She's just asking in general.
9 THE WITNESS: I can't speculate in general
10 about what budgetary constraints would impact
11 increases during focal -- I don't know what that
12 means.
13 BY MS. BREMER:
14 Q. The -- this memo talks about "bona fide
15 business factors that contribute to the level of
16 your salary."
17 What training have you and your HR
18 investigators received regarding bona fide business
19 factors?
20 A. I do not believe there is a training on
21 bona fide business factors.
22 Q. What is your understanding of what that
23 means?
24 A. I would be speculating as to what that
25 means.

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1 BY MS. BREMER:
2 Q. Okay. We were talking about Exhibit 103,
3 and the document talked about budgetary constraints.
4 What authority does the -- do the HR
5 investigators have to make adjustments to people's
6 pay as a result of their investigation?
7 MR. PARKER: Assumes facts.
8 THE WITNESS: As far as I know, HR
9 investigators don't have any authority -- to adjust
10 someone's salary?
11 BY MS. BREMER:
12 Q. Yes.
13 A. No, we don't have that authority.
14 Q. If, as a result of an investigation, you
15 felt that an adjustment to someone's salary was
16 warranted, what would you do?
17 A. I would work with legal, and it would
18 depend on the nature of the case what we would do
19 next. I can't say.
20 Q. Does your group have any budget that can be
21 used to remedy complaints that are made?
22 A. No.
23 MS. BREMER: I'll mark as Exhibit 104 a
24 document entitled "Management Promotion Template,"
25 and the employee name is [REDACTED]

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1 Q. Is that a phrase that you use in your
2 investigation results?
3 A. Actually not. No. It's not.
4 Q. Is this -- is this the closeout memo that's
5 described in Exhibit 97?
6 A. Exhibit 97 doesn't describe any documents
7 specifically. It's talking about generally.
8 So this document, Exhibit 103, does appear
9 to be a memorandum to [REDACTED] about the
10 results -- the findings of an investigation.
11 Q. And you're not aware of any other
12 information that was provided to [REDACTED]
13 regarding the results of the investigation?
14 MR. PARKER: Asked and answered.
15 THE WITNESS: No, I am not.
16 MS. BREMER: Let's take a break.
17 MR. PARKER: Okay.
18 THE WITNESS: Okay.
19 THE VIDEOGRAPHER: Going off the record.
20 The time is 2:43 p.m. This marks the end of media
21 No. 5.
22 (Recess taken.)
23 THE VIDEOGRAPHER: We're back on the
24 record. The time is 2:54 p.m. This marks the
25 beginning of media No. 6.

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1 (Whereupon, Exhibit 104 was marked for
2 identification.)
3 BY MS. BREMER:
4 Q. Have you seen this document before?
5 A. I believe it was in the documents I
6 reviewed.
7 Q. In preparation --
8 A. In preparation -- excuse me, in preparation
9 for the deposition, yes.
10 Q. And it's a, to your knowledge, a true and
11 correct copy of a management promotion template for
12 [REDACTED]?
13 MR. PARKER: Lacks foundation. Outside the
14 scope.
15 BY MS. BREMER:
16 Q. Is it a true and correct copy of a document
17 that you reviewed in preparation for this
18 deposition?
19 A. As far as I know.
20 Q. The metadata for -- I'll make the
21 representation that the metadata for this document
22 shows an April 2017 create date.
23 Is this the type of information that your
24 team would review as part of an investigation?
25 MR. PARKER: Instruct not to answer, also,

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1 based on attorney-client privilege.
2 Just so you know, counsel made a
3 representation about when this document was created.
4 THE WITNESS: Uh-huh.
5 MR. PARKER: You can believe that, not
6 believe it, just base it on your -- but I'll
7 instruct not to answer.
8 THE WITNESS: I can't answer that question.
9 MS. BREMER: Okay. I'll mark as
10 Exhibit 105 a document to [REDACTED] from
11 Barbara Hardy dated April 11th, 2017.
12 (Whereupon, Exhibit 105 was marked for
13 identification.)
14 BY MS. BREMER:
15 Q. Do you recognize this document?
16 A. Yes.
17 Q. Is this a true and correct copy of an email
18 exchange between [REDACTED] and Barbara Hardy
19 on April -- on or about April 10th and 11th of 2017?
20 A. As far as I know.
21 Q. At the bottom -- on the bottom email chain
22 it says, "The Labor Department claims that Oracle
23 'routinely pays white male workers more than their
24 female and non-white counterparts for comparable
25 jobs.' In light of this now public disclosure, I

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

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1 would like my salary discretely reviewed. In my
2 estimation, my salary is over 50,000 less than what
3 other software engineers with my level of experience
4 are paid in the Bay Area."
5 Was this complaint investigated?
6 A. I don't know.
7 Q. Who is Barbara Hardy?
8 A. Barbara Hardy was a colleague of mine in
9 HR. She ran our diversity and inclusion function.
10 She has left Oracle.
11 Q. When she received complaints regarding
12 compensation discrimination, were those forwarded to
13 your group?
14 A. I don't know.
15 Q. Do you know if this one was?
16 A. No, I do not.
17 MS. BREMER: I'd like to mark as
18 Exhibit 107 --
19 MR. PARKER: 106 is next in order.
20 MS. BREMER: Sorry. Yep -- 106 a memo
21 dated July 3rd, 2017 to [REDACTED] from Nicole
22 Lurie.
23 (Whereupon, Exhibit 106 was marked for
24 identification.)
25

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1 THE WITNESS: I can't answer that question.
2 BY MS. BREMER:
3 Q. Says, "You alleged that your salary was low
4 and wanted to know how it compared to others because
5 following your volunteer relocation from
6 New Hampshire to California, specifically the
7 Bay Area, you felt you were paid lower than what
8 other tech companies were paying in the area."
9 What information did -- are you aware of --
10 okay.
11 Let me just -- it says, "We conducted a
12 thorough investigation of your concerns that
13 included interviews with you, your manager, other
14 employees, and management. We also reviewed various
15 records, emails and files, including information and
16 documentation you provided relevant to this
17 investigation."
18 Can you tell me what specifically was
19 reviewed?
20 MR. PARKER: Instruct not to answer.
21 Attorney-client privilege.
22 THE WITNESS: I can't answer that question.
23 BY MS. BREMER:
24 Q. The investigation results memo states, "Our
25 investigation found no evidence that gender, race or

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1 anything else inappropriate factored into the
2 compensation decisions within your department. We
3 did find that there are variations in pay due to
4 legitimate business reasons such as performance
5 levels, job scope and responsibilities, and overall
6 contribution to the business."
7 Are you aware of additional information
8 that was provided to [REDACTED] regarding the
9 legitimate business reasons for the pay differences?
10 A. I am not aware.
11 Q. Have you had any training regarding what
12 legitimate business reasons are for differences in
13 pay based on gender?
14 A. Formal training?
15 Q. Yes.
16 A. Is that your question?
17 Q. Yes.
18 A. No. Not that I can recall.
19 Q. Do you know if there was any comparison of
20 [REDACTED]'s compensation to other people's
21 compensation in Oracle's headquarters as part of
22 this investigation?
23 MR. PARKER: Instruct not to answer.
24 Attorney-client privilege.
25 THE WITNESS: I can't answer that question.

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

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

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

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1 A. Yes. As far as I know.
2 Q. And Nicole Lurie is one of the HR
3 investigators in your group?
4 A. That's correct.
5 Q. Did you review this memorandum before it
6 was sent to [REDACTED]?
7 A. Not that I recall.
8 Q. In the first paragraph it says, "You and I
9 spoke on April 28th, 2017 after I was assigned to
10 look into your concerns. You felt that your base
11 salary was on the low side for senior director
12 position and felt it might be due to your gender.
13 While we didn't know the pay of others -- while you
14 didn't know the pay of others, you shared that you
15 hired Masum Mayana, as a senior director, reporting
16 to you, and that his pay was 25 percent more than
17 yours."
18 What was done to investigate [REDACTED]'s
19 claim of compensation discrimination?
20 MR. PARKER: Objection. Attorney-client
21 privilege. Instruct not to answer.
22 THE WITNESS: I can't answer that question.
23 MR. PARKER: No.
24 BY MS. BREMER:
25 Q. Do you know, as part of the investigation,

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

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1 the investigator would look at [REDACTED]'s
2 compensation compared to [REDACTED]'s?
3 MR. PARKER: Same objection. Same
4 instruction.
5 BY MS. BREMER:
6 Q. The second paragraph of the investigation
7 results memo states, "We conducted a thorough
8 investigation of your concerns that included
9 interviews with you, your manager, other employees,
10 and management. We also reviewed various reports,
11 emails and files, including information and
12 documentation you have provided relevant to this
13 investigation."
14 This paragraph has the same wording as
15 other memos of investigation results that we've
16 reviewed. Is this -- do you have a template for
17 memos of investigation results?
18 A. Not that I recall. Template.
19 We probably have examples that we share
20 with each other, but not a template.
21 Q. Examples that are posted that people can
22 use?
23 A. Well, yeah. They have -- so if someone
24 needed and wanted to see, you know, a closeout memo
25 for a -- you know, wanted some help with wording or

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

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1 A. Off the top of my head, I don't know.
2 Q. And who is Lisa Hanson?
3 A. HR business partner at Oracle.
4 Q. And what group -- what groups does she work
5 with?
6 A. I don't know what groups she works --
7 worked with. I believe she's also in -- was in
8 Madie Cheruvu's team at this time. She's left --
9 doesn't work for the company anymore.
10 Q. And at the bottom it says that [REDACTED]
11 [REDACTED] is [REDACTED] of Oracle applications
12 development. Does that mean that she's an
13 applications -- in the applications development job
14 function?
15 MR. PARKER: Vague and ambiguous. Lacks
16 foundation.
17 BY MS. BREMER:
18 Q. If you know.
19 A. I don't.
20 MS. BREMER: I'll mark as Exhibit 110 an
21 email chain between Lisa Hanson and [REDACTED] d
22 between January 27th (verbatim), 2017 and February
23 2nd, 2017.
24 (Whereupon, Exhibit 110 was marked for
25 identification.)

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

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1 BY MS. BREMER:
2 Q. Have you seen this document before?
3 A. Yes, I have.
4 Q. And is it a true and correct copy of the
5 email chain between [REDACTED] d and Lisa Hanson
6 between January 26th, 2017 and February 2nd, 2017?
7 A. As far as I know.
8 Q. On the bottom email it says, "This email is
9 to acknowledge the concerns you brought to my
10 attention on October 6th, 2016 regarding your
11 compensation."
12 A. Uh-huh. I see that.
13 Q. Do you know, first of all, why the response
14 was in an email rather than an investigation results
15 memo?
16 A. It doesn't have to happen any -- it depends
17 on the case. It can happen either way.
18 Q. So the form of the investigation results
19 can be either email or a memo?
20 A. Yes. That's correct.
21 Q. Okay. It says that "My review included
22 interviews with you and management as well as review
23 of relevant documents and information."
24 Do you know what documents and information
25 was reviewed?

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

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

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1 **A.** Yes.
2 **Q.** Did you see it in preparation for your
3 deposition?
4 **A.** Yes.
5 **Q.** Does it appear to be a true and correct
6 copy of an email exchange between Anna Woods and
7 [REDACTED] between February 22nd, 2018 and
8 February 26th, 2018?
9 **A.** Yeah, as far as I know.
10 **Q.** On the email chain at the bottom dated
11 February 21st, 2018, [REDACTED] wrote in the
12 second paragraph, "I have in the past asked my (used
13 to be) manager, Sharon, on where I stand in salary
14 range and she said that I am in the lowest zero to
15 20 percent of 100. Based on that information, I
16 would like to know what the range/numbers are
17 exactly. I would also like to know how to request
18 adjustment/raise to bring me up to standard."
19 Did Oracle conduct an investigation as a
20 result of this concern being raised?
21 **A.** Off the top of my head, I don't know.
22 **Q.** Who is Anna Woods?
23 **A.** She's an HR business partner.
24 **Q.** And what -- do you know who she reports to?
25 **A.** I'm not sure. She worked there longer than

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1 salary data?
2 **A.** I am not.
3 **Q.** Are you aware of any additional information
4 that was provided to her regarding the legitimate
5 business factors unrelated to gender that Oracle
6 contended explained the differences?
7 **A.** Can you repeat your question? You lost me
8 there somewhere.
9 **Q.** It says at the bottom sentence of the first
10 paragraph of this first email, it says, "To the
11 extent that disparities exist, those differences can
12 be explained by legitimate business factors
13 unrelated to gender."
14 Are you aware of any additional information
15 that was provided to [REDACTED] regarding what
16 those legitimate business reasons were?
17 **A.** I am not.
18 **MS. BREMER:** Okay. I'm going to mark as
19 Exhibit 111 a document dated February 26th, 2018
20 from Anna Woods to [REDACTED]. I don't know if
21 I'm pronouncing it correctly.
22 (Whereupon, Exhibit 111 was marked for
23 identification.)
24 **BY MS. BREMER:**
25 **Q.** Have you seen Exhibit 111 before?

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1 me. She's reported to a lot of people.
2 **Q.** Do you know what lines --
3 **A.** I'd be guessing.
4 **Q.** Do you know what lines of business she
5 worked with?
6 **MR. PARKER:** Vague as to time.
7 **BY MS. BREMER:**
8 **Q.** In 2018?
9 **A.** I do not. Although the signature block
10 does say "HR Business Partner for Global IT," so
11 based on what's written here, that's all I know.
12 **Q.** The email from [REDACTED] also says, "I
13 also learned that recently there was a salary
14 adjustment to women in Oracle. Is there any reason
15 why I'm not part of that?"
16 **MS. BREMER:** Okay. I'm going to then move
17 to Exhibit 112, which I'm going to mark, which is an
18 email dated June 8th, 2018 from Anna Woods to [REDACTED]
19 [REDACTED]
20 (Whereupon, Exhibit 112 was marked for
21 identification.)
22 **BY MS. BREMER:**
23 **Q.** Have you seen this document before?
24 **A.** Yes.
25 **Q.** Is it a true and correct copy of an email

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1 from Anna Woods to ██████████ sent on or about
2 June 8th, 2018?
3 **A.** As far as I know.
4 **Q.** Do you know what Anna Woods -- I'm sorry.
5 Do you know what ██████████'s race is?
6 **A.** I do not.
7 **Q.** So the first paragraph says, "As you know,
8 you came to me because you felt your salary was low
9 and you've heard that there had been a salary
10 increase for only women in the December 2017/January
11 2018 time frame. As a result of coming to me, I
12 looked into the concerns you raised. This included
13 a review of relevant documentation and information,
14 as well as conversations with you and others."
15 Do you know specifically -- what
16 specifically did Oracle do to conduct an
17 investigation of ██████████'s complaint?
18 **MR. PARKER:** Instruct not to answer.
19 Attorney-client privilege.
20 **BY MS. BREMER:**
21 **Q.** The second paragraph of this email says,
22 "As we discussed on the 31st, there was no salary --
23 increase salary for exclusively women in the
24 December 2017/January 2018 time frame or any other
25 time frame. There was, however, a regular

201

1 **BY MS. BREMER:**
2 **Q.** Do you know if the salary increase was
3 disproportionately given to women?
4 **MR. PARKER:** Lacks foundation.
5 **THE WITNESS:** I have no idea.
6 **MR. PARKER:** Vague and ambiguous.
7 **BY MS. BREMER:**
8 **Q.** The memo goes on to say --
9 (Reporter clarification.)
10 **BY MS. BREMER:**
11 **Q.** -- "You, like your peers, were eligible for
12 the Focal/Salary, but because the budget was very
13 limited, your management was not able to award you a
14 salary increase at that time. I reviewed the
15 reasons for this decision and did not find any
16 evidence gender played a role in who received a
17 salary increase in this cycle or any other."
18 What were the reasons that Oracle found for
19 the decision not to provide an increase in salary to
20 ██████████?
21 **MR. PARKER:** To the extent that it is
22 protected by the attorney-client privilege, I
23 instruct not to answer.
24 Otherwise, where it comes out of this memo,
25 if you know independent of this memo, then you can

203

1 Focal/Salary increase cycle that took place, and any
2 changes as a result of that process were effective
3 on January 1st, 2018."
4 Were you involved in any decisions related
5 to the focal/salary increase that was effective
6 January 1st, 2018?
7 **MR. PARKER:** Vague and ambiguous.
8 **THE WITNESS:** Can you be more specific?
9 **BY MS. BREMER:**
10 **Q.** Were you involved in any decisions related
11 to the focal/salary increase that was effective
12 January 1st, 2018?
13 **MR. PARKER:** Vague and ambiguous.
14 **THE WITNESS:** I was involved in the
15 decisions for my own team.
16 **BY MS. BREMER:**
17 **Q.** Were you involved in any decisions as
18 regarding whether there would be a regular
19 focal/salary increase or the purposes of that
20 increase?
21 **MR. PARKER:** Vague and ambiguous.
22 Compound.
23 **THE WITNESS:** I was only involved as it
24 pertains to my own team.
25

202

1 certainly answer the question.
2 But I'll object. Lacks foundation. Calls
3 for speculation and outside the scope.
4 **THE WITNESS:** I don't know.
5 **BY MS. BREMER:**
6 **Q.** So in the third memo (verbatim) it says
7 that "The business made an exception request to
8 provide you a salary adjustment and received
9 approval to do so. Effective February 27th, 2018,
10 your base pay is \$ ██████████
11 annually and your title is ██████████
12 ██████████"
13 How was approval obtained -- or what was
14 the process for obtaining this salary adjustment?
15 **MR. PARKER:** Lacks foundation. Calls for
16 speculation.
17 **THE WITNESS:** I don't have any information
18 about how this approval was obtained.
19 **BY MS. BREMER:**
20 **Q.** Have you -- have you ever obtained a salary
21 adjustment to someone's salary after you conducted
22 an investigation?
23 **MR. PARKER:** Asked and answered.
24 **THE WITNESS:** Repeat your question.
25

204

1 BY MS. BREMER:
2 Q. Have you ever obtained a salary adjustment
3 for anyone after you conducted an investigation?
4 A. You're asking about me specifically?
5 Q. Yes.
6 A. No.
7 Q. Has anyone on your team?
8 A. Off the top of my head, I -- you're asking
9 if I've ever received approval -- my -- okay. So
10 now you're confusing me.
11 MR. PARKER: Has anyone -- has anyone on
12 your team ever conducted an investigation and
13 afterward has that person's salary increased?
14 THE WITNESS: Off the top of my head, I can
15 remember a case, I believe, that ended up in an
16 adjustment, but I would have to check. I'm not
17 100 percent sure.
18 MR. PARKER: Was it an HQCA?
19 THE WITNESS: Oh, gosh. You know what? I
20 have no idea.
21 MR. PARKER: Okay.
22 THE WITNESS: But, again, I can't remember
23 every single case that we do off the top of my head.
24 BY MS. BREMER:
25 Q. Do you recall any other -- any cases by any

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1 employee.
2 Q. And the one time that you recall, when was
3 that?
4 A. Oh, gosh. It was sometime between -- it
5 was maybe sometime between -- it was 2015 to 2018.
6 Somewhere in there. I don't know exactly when that
7 was. I don't think it was 2019. It was before
8 that.
9 Q. And the questions that we -- that I was
10 just asking and you were answering related to
11 salary. So I'm going to ask the same thing with
12 respect to any other compensation.
13 Are you aware of any adjustments made to
14 someone's compensation after an investigation was
15 completed?
16 A. You mean other than salary adjustments?
17 Q. Exactly. Such as equity or bonus or
18 anything else.
19 A. Not that I can recall. No.
20 Q. What is the process to get a salary
21 adjustment approval following an investigation?
22 MR. PARKER: Lacks foundation. Calls for
23 speculation. And there's going to be a bit of
24 attorney-client privilege, but if you know, is
25 there -- do you know of a process, yes or no?

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1 of your HR investigators who report to you that
2 resulted in a salary adjustment after the
3 investigation?
4 MR. PARKER: Asked and answered.
5 THE WITNESS: That's the question I just
6 answered.
7 BY MS. BREMER:
8 Q. I thought the question you just answered
9 related to you specifically.
10 A. Then you asked --
11 Q. I'm broadening it to --
12 A. But you already did that.
13 Q. Okay.
14 A. We did both.
15 Q. Okay.
16 A. So I said no --
17 Q. Right.
18 A. -- as it pertains to me. I don't recall
19 myself conducting an investigation that resulted --
20 that the findings then resulted in an adjustment to
21 someone's salary. That, I do not recall.
22 Personally.
23 I do think it has happened with
24 investigations that my team did, at least one time I
25 can recall, but I do not know the location of that

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1 THE WITNESS: No, I do not.
2 (Brief interruption.)
3 BY MS. BREMER:
4 Q. In the time that you were aware of when
5 there was an adjustment after an investigation by
6 someone on your team, were you involved in that at
7 all in getting the adjustment or discussing it?
8 A. No.
9 MR. PARKER: Vague and ambiguous.
10 Compound.
11 THE WITNESS: I was not involved.
12 BY MS. BREMER:
13 Q. So this memo says, "The business made an
14 exception request to provide you a salary
15 adjustment."
16 Is that talking about -- or is the business
17 the line of business?
18 MR. PARKER: Lacks foundation. Vague and
19 ambiguous.
20 THE WITNESS: I wasn't involved in this
21 process, so I would be guessing what is she
22 referring to there.
23 I could say generally, if we're saying "the
24 business," she could mean the line -- the line of
25 business that that person rolls into. That could be

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

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1 Attorney-client privilege.
2 BY MS. BREMER:
3 Q. Are you aware of any additional information
4 that was provided to [REDACTED] regarding her
5 complaint?
6 A. I am not aware.
7 MS. BREMER: I should have given you this
8 one first, but I'm going to mark as Exhibit 114 a
9 document dated November 1st, 2018 from [REDACTED]
10 to Lisa Hanson, and it's actually an email chain
11 with two emails between those two people.
12 (Whereupon, Exhibit 114 was marked for
13 identification.)
14 BY MS. BREMER:
15 Q. Have you seen this document before?
16 A. Yes.
17 Q. And did you review it in connection with
18 your deposition?
19 A. Yes.
20 Q. Does it appear to be a true and correct
21 email chain between Lisa Hanson and [REDACTED] on
22 November 1st, 2018?
23 A. As far as I know.
24 Q. Is it your understanding that this is the
25 email that resulted in the closure email that's

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1 Q. Does it appear to be a true and correct
2 copy of an email from Lisa Hanson to [REDACTED] [REDACTED]
3 sent on or about December 22nd, 2016?
4 A. As far as I know.
5 Q. What is [REDACTED]'s gender?
6 A. I do not know.
7 Q. So the email says that "You indicated you
8 felt your salary was low because the increments that
9 you have received over the years have not kept up
10 with the market. Given your role and years of
11 experience, you believe some sort of correction
12 adjustment could fix this concern. You mentioned
13 you were curious about the discussions taking place
14 in the valley about gender gap and equal pay for men
15 and women."
16 And then it goes on to say, "Per our
17 discussion on December 15th, 2016, I've looked into
18 your concerns and did not find any evidence that
19 your gender played a role in the decisions that were
20 made with respect to your compensation. The data I
21 reviewed indicates you were being paid consistently
22 with your peers performing similar work."
23 What data was reviewed in connection with
24 this investigation?
25 MR. PARKER: Instruct not to answer.

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1 Exhibit 113?
2 A. Well, I don't know that to be true or not
3 true, but the dates don't seem to line up.
4 The 12/22 note says that she brought the
5 concerns to Lisa's attention on October 13th. This
6 email is dated November 1st.
7 Q. Oh, you're right.
8 A. So I don't know -- oh, this is 2016 even.
9 This is a different year entirely.
10 Q. Right. Okay.
11 A. So this one is not attached to this one.
12 Okay.
13 Q. Okay. So the --
14 A. We're in 2018 now.
15 Q. Exhibit 113 is not attached to --
16 A. Okay.
17 Q. -- Exhibit --
18 A. 114.
19 Q. -- 114.
20 A. Okay.
21 Q. Try not to talk over me.
22 A. So sorry.
23 Q. Okay. So in 2016, [REDACTED] raised
24 issues regarding whether gender played a role in
25 compensation decisions, and this is the closure memo

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1 which is 113, correct?
2 **A.** Exhibit 113 does appear to be a closure,
3 based on the subject, to [REDACTED] from Lisa about the
4 concerns she raised in October of 2016.
5 **Q.** Okay. And then in November of 2018 [REDACTED]
6 [REDACTED] raised questions concerning compensation in
7 her organization in an email to Lisa Hanson, right?
8 **A.** That's what I read, yes.
9 **Q.** So then I'm going to mark as Exhibit 115 a
10 memorandum dated February 26th, 2019 from Michelle
11 Nofer to [REDACTED].
12 (Whereupon, Exhibit 115 was marked for
13 identification.)
14 BY MS. BREMER:
15 **Q.** Have you seen this document before?
16 **A.** Yes, I have.
17 **Q.** Who is Michelle Nofer?
18 **A.** She's an HR investigator. She works for
19 me.
20 **Q.** And is this a true and correct copy of a
21 confirmation of closure/results of HR investigation
22 by Michelle Nofer sent to [REDACTED] on or about
23 February 26th, 2019?
24 **A.** As far as I know.
25 **Q.** It states at the beginning, "This is a

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1 evidence gathered, the investigation revealed that
2 you are paid comparably to the majority of your
3 peers who perform substantially similar work. We
4 found no evidence that gender or any other protected
5 characteristic was a factor in the determination of
6 your compensation or that of others."
7 Are you aware of any other information
8 provided to [REDACTED] as a result of her
9 complaint in the investigation?
10 **A.** I am not aware.
11 **Q.** Are you aware of any investigation by
12 Oracle that resulted in a finding that there was
13 compensation discrimination?
14 **MR. PARKER:** Sorry. Hold on.
15 BY MS. BREMER:
16 **Q.** Are you aware of any investigation by
17 Oracle that resulted in a finding that there was --
18 **MR. PARKER:** I see it. I think it's vague.
19 BY MS. BREMER:
20 **Q.** Okay. Are you aware of any investigation
21 by your group --
22 **MR. PARKER:** Oh, I'm sorry, your question
23 is divorced of Exhibit 115?
24 **MS. BREMER:** It's not completely divorced.
25 I -- this Exhibit 115 says, "We found no

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

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1 evidence that gender or any other protected
2 characteristic was a factor in the determination of
3 your compensation or that of others."
4 I'm wondering if she's aware of any
5 investigation by her group that did find gender
6 discrimination in compensation.
7 **MR. PARKER:** Okay. As framed, it calls for
8 attorney-client privilege.
9 **MS. BREMER:** No, I'm asking about the
10 results of the investigation.
11 **MR. PARKER:** But you didn't say that. And
12 are you saying something that was communicated to an
13 employee? Because if you don't have that, then it
14 would definitely be protected by attorney-client
15 privilege.
16 BY MS. BREMER:
17 **Q.** Okay. Are you aware of any results of an
18 HR investigation that communicated to an employee
19 that found compensation discrimination?
20 **MR. PARKER:** Is this for HQ and HCA?
21 **MS. BREMER:** Yes.
22 (Reporter clarification.)
23 **MR. PARKER:** This is for HQ and HCA.
24 Do you have the question in mind?
25 **THE WITNESS:** Okay. So you ask -- do I

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1 understand your question to be, am I aware of any
2 results being communicated to an employee that we
3 found discrimination -- pay discrimination --
4 discrimination in pay?
5 BY MS. BREMER:
6 Q. Yes.
7 A. I am not aware.
8 Q. Are you aware of any investigation results
9 by the HR business partners that found pay
10 discrimination and were communicated to the
11 employee?
12 A. I can't answer that question as stated.
13 Q. Are you aware of any results of an
14 investigation by the HR business partners concerning
15 an employee at headquarters that found
16 discrimination, pay discrimination?
17 A. I'm --
18 MR. PARKER: As phrased --
19 THE WITNESS: I can't answer that question.
20 MR. PARKER: -- that would call for
21 attorney-client privilege.
22 And I don't understand why -- I don't
23 understand why she's saying she can't answer the
24 question. So do you mind if I take a break? I
25 don't care what the answer is.

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1 (Whereupon, Exhibit 116 was marked for
2 identification.)
3 BY MS. BREMER:
4 Q. Have you seen this document before?
5 A. Yes.
6 Q. Did you see it in preparation for your
7 deposition?
8 A. Yes.
9 Q. Is it a true and correct copy of a request
10 for dive-and-save salary adjustment from [REDACTED]
11 [REDACTED] on or about May 7, 2014?
12 MR. PARKER: Lacks foundation. Calls for
13 speculation. Outside the scope of the topics.
14 THE WITNESS: I have no reason to believe
15 otherwise.
16 BY MS. BREMER:
17 Q. Are you familiar with the term
18 "dive-and-save salary adjustment"?
19 A. Yes.
20 Q. What does that mean?
21 MR. PARKER: I think she's asking you
22 without regard to this document.
23 THE WITNESS: Just in general?
24 MR. PARKER: Just in general.
25 MS. BREMER: Yes.

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1 MS. BREMER: Let me just try one more time
2 because -- okay.
3 Q. I'm talking about results of an
4 investigation regarding a claim of compensation
5 discrimination. And I'm wondering if you're aware
6 of any results of an investigation by the HR
7 business partners that had a finding of compensation
8 discrimination that were conveyed to an employee.
9 A. No, I am not aware of any communication to
10 an employee of an investigation result that found
11 pay discrimination. I am not aware of that.
12 MS. BREMER: Okay. We can take a break
13 now.
14 MR. PARKER: Why don't we do that.
15 THE VIDEOGRAPHER: We're going off the
16 record. The time is 3:58 p.m. This marks the end
17 of media No. 6.
18 (Recess taken.)
19 THE VIDEOGRAPHER: All right. We're back
20 on the record. The time is 4:08 p.m. This marks
21 the beginning of media No. 7.
22 MS. BREMER: Okay. I'd like to mark as
23 Exhibit 2 -- I'm sorry, 116 a Request for
24 Dive-and-Save Salary Adjustment. Requestor, [REDACTED]
25 [REDACTED], dated May 7, 2014.

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1 THE WITNESS: Oh. In general, I understand
2 "dive-and-save" to mean you have an employee who is
3 at risk of leaving the company and you want to
4 retain them, so you're making an adjustment.
5 BY MS. BREMER:
6 Q. Do you increase their pay in order to
7 retain them at Oracle?
8 A. Not necessarily just pay. Could be
9 regarding title or -- or not just salary. It could
10 be other things, I would assume.
11 Q. Is your group involved in dive-and-saves?
12 A. No.
13 Q. So in this one, under the proposal, it
14 says, "[REDACTED] salary is astonishingly low.
15 At [REDACTED] her salary falls far below the job grade
16 range of \$ [REDACTED]. Her direct
17 reports in the U.S. are earning [REDACTED] percent to
18 [REDACTED] percent more than she is."
19 This is what I was talking about earlier in
20 the deposition, where I was saying if somebody made
21 a complaint that wasn't about themselves, but about
22 somebody else, would your group be involved?
23 MR. PARKER: I'm sorry. I think she's
24 characterizing this document as a complaint. If you
25 believe it's a complaint, you can so say. But let's

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1 do that as a -- as it lacks foundation.
2 THE WITNESS: My understanding of a
3 dive-and-save situation is generally coming from the
4 manager of that employee and does not necessarily
5 have anything to do with that employee complaining
6 or not complaining.
7 BY MS. BREMER:
8 Q. And so this is a dive -- a request for a
9 dive-and-save salary adjustment is not something
10 that your group handles?
11 A. No.
12 Q. Are you aware of any other reasons that pay
13 adjustments are made at Oracle other than the
14 dive-and-save salary adjustment and the -- and as a
15 result of an investigation?
16 MR. PARKER: Lacks foundation. Calls for
17 speculation. Outside the scope.
18 THE WITNESS: Are you asking me in general?
19 Can you repeat the question, please?
20 BY MS. BREMER:
21 Q. Are you aware of any other reasons that pay
22 adjustments are made at Oracle other than the
23 dive-and-save salary adjustment and as a result of
24 an investigation?
25 A. Are you asking me as it pertains to Oracle

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1 Q. Okay. Anything else?
2 A. Off-cycle increase other than for a
3 dive-and-save.
4 Q. Anything else?
5 A. Not that I can think of off the top of my
6 head.
7 MS. BREMER: I would like to mark as
8 Exhibit 117 an email dated May 31, 2017 from [REDACTED]
9 [REDACTED] to legal_us@oracle.com.
10 (Whereupon, Exhibit 117 was marked for
11 identification.)
12 BY MS. BREMER:
13 Q. Have you seen this document?
14 A. Yes.
15 Q. Did you see it prior to the preparation for
16 your deposition?
17 A. Not that I recall.
18 Q. Were you involved in investigating this
19 complaint?
20 A. Me personally?
21 Q. Or your group.
22 A. Me personally, I don't believe so.
23 My group, I don't know.
24 Q. The subject is "Resigning due to extreme
25 harassment by Sumeet," and the last name is

223

1 HQ?
2 Q. Yes.
3 MR. PARKER: Same objections.
4 THE WITNESS: Am I -- okay. So repeat the
5 question one more time for me. I'm so sorry.
6 BY MS. BREMER:
7 Q. Are you aware of any other reasons that pay
8 adjustments are made at Oracle other than the
9 dive-and-save salary adjustment and as a result of
10 an investigation?
11 A. Yes.
12 Q. Okay. What are they?
13 A. Our regular salary increase process.
14 Q. Anything --
15 A. Salary review. I should state that more
16 clearly. Salary review process.
17 Q. Are you aware of any reasons outside of the
18 regular salary review process and the dive-and-save
19 and the -- as a result of an investigation?
20 MR. PARKER: Same objections.
21 THE WITNESS: That would result in a salary
22 increase?
23 BY MS. BREMER:
24 Q. Yes.
25 A. So promotion.

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1 [REDACTED] and it was sent to
2 legal@oracle.
3 When -- do you know who handled -- do you
4 know if anyone investigated the harassment alleged
5 in this email?
6 A. Off the top of my head, I do not.
7 Q. Okay. The email indicates that the person
8 is resigning due to extreme harassment.
9 Does your group handle investigations about
10 people who have left?
11 MR. PARKER: Asked and answered.
12 THE WITNESS: Yes.
13 BY MS. BREMER:
14 Q. But you don't recall whether or not your
15 group handled this one?
16 A. I do not.
17 Q. Do you have any information regarding the
18 results of this complaint?
19 A. I do not.
20 Q. Okay. Let's turn back to Exhibit 95 --
21 A. 95.
22 Q. -- which is the Oracle Integrity Helpline.
23 A. Yes.
24 Q. If you look at page 3, at the top of the
25 page it says, "Will I hear about the progress or

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1 outcome of an investigation?"
2 And the answer is, "To protect the privacy
3 of all concerned, Oracle generally cannot discuss
4 the specifics of investigations except with
5 management responsible for the affected business."
6 Is any specific information about the
7 outcome of an investigation provided to employees
8 who complain other than what's included in the -- in
9 the findings, investigative findings memos or
10 emails?
11 MR. PARKER: Compound. Vague and
12 ambiguous.
13 THE WITNESS: I can't answer that in the
14 abstract. What may or may not be provided to
15 someone involved in the case would be based on that
16 case.
17 BY MS. BREMER:
18 Q. The next question is, "What if I don't feel
19 my concern has been addressed properly? What can I
20 do?"
21 The response is, "Should you believe your
22 inquiry or report has not been addressed properly,
23 you may escalate your concern directly to Dorian
24 Daley, VP Legal and Global Chief Compliance and
25 Ethics Officer."

225

1 BY MS. BREMER:
2 Q. Okay. When you say "prescribed process,"
3 that suggests to me that there's some process.
4 A. No. I'm saying there is no process.
5 Q. Okay.
6 A. Let's be more specific. We don't have a
7 process around appeals.
8 That was probably a poor choice of words on
9 my part.
10 Maybe to clarify, employees do raise
11 concerns about the results of their investigations.
12 It happens.
13 Q. And then when they do raise concerns, where
14 does it go from there?
15 A. It depends on the case.
16 Q. Have -- are you aware of any results of
17 investigations being overturned after employees
18 raise concerns about the results of their
19 investigation?
20 A. Off the top -- overturn -- I'm not sure I
21 understand your question. Can you repeat it?
22 Q. You said that employees do raise concerns
23 about investigations. Are you aware of any changes
24 being made to investigative findings as a result of
25 concerns employees raised?

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

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1 A. Not that I can recall, off the top of my
2 head.
3 Q. On page 2 of Exhibit 95, it says, "Will I
4 face retaliation for reporting a concern through the
5 Oracle Integrity Helpline?"
6 What does Oracle do to ensure that there's
7 no retaliation against employees making complaints?
8 A. That's one of those -- we have a policy
9 that prohibits retaliation, and if retaliation or
10 retaliatory actions are reported to us or
11 discovered, then those will be investigated and
12 handled appropriately.
13 Q. After --
14 A. Let me add one more thing.
15 I think the other thing I would say is
16 we've talked earlier about training. It does talk
17 about retaliation in our training. Employee
18 training and manager training.
19 Q. If an employee makes a complaint and it's
20 investigated and there's -- after the conclusion of
21 the investigation, does HR do anything to follow
22 that employee or make -- ensure that there are no
23 actions, retaliatory actions, against the employee?
24 MR. PARKER: Vague and ambiguous.
25 Compound.

228

1 THE WITNESS: As it pertains to any
2 specific case, I would not be able to answer that
3 question. It would depend on the case what we would
4 do after the close of the investigation.
5 BY MS. BREMER:
6 Q. What is -- generally what's the step
7 after -- after the close of the investigation and
8 these closing memos with the investigative findings
9 are sent to the employees, what other contact does
10 your group have with those employees?
11 MR. PARKER: Compound. Vague and
12 ambiguous.
13 THE WITNESS: It varies.
14 BY MS. BREMER:
15 Q. Can you think of any situations where you
16 tracked or monitored actions taken with respect to
17 those employees after an investigation is concluded?
18 MR. PARKER: Vague and ambiguous.
19 Compound.
20 THE WITNESS: I don't understand your
21 question. I don't even know how to answer that.
22 BY MS. BREMER:
23 Q. I'm wondering when you're -- if a complaint
24 comes in, basically when does the role of your group
25 end, or do you have a continuing role after the

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1 with respect to them.
2 A. Okay. So if I understand your question,
3 you're asking me if my group, after we conduct
4 investigations, tracks people --
5 Q. Yes.
6 A. -- and the future employment decisions that
7 are made about them?
8 Q. Right.
9 A. I can't answer that question in the
10 abstract.
11 Q. Can you --
12 A. It would base -- it would be based on the
13 facts of that case.
14 Q. Can you think of any situation or any
15 specific investigation where that was done?
16 A. Where we -- off the top of my head, no. A
17 specific case? No.
18 Q. Has your -- approximately how many
19 complaints of retaliation does your group handle
20 each year?
21 A. I don't know specifically. We do handle
22 complaints of retaliation.
23 Q. Do you track -- do you keep records of the
24 types of complaints that are coming into your group?
25 A. Yes.

231

1 investigation is concluded and you issue the
2 investigative findings?
3 MR. PARKER: Vague and ambiguous.
4 Compound.
5 THE WITNESS: My team is a member of the HR
6 organization, so we handle each and every complaint
7 as they come in and as is necessary and at the
8 direction of counsel.
9 So, again, I can't tell you when we
10 might -- there's no generally where we might stop or
11 start being involved. It's case by case.
12 BY MS. BREMER:
13 Q. Have you -- has your HR investigative group
14 learned of any retaliation other than through a
15 complaint?
16 MR. PARKER: Vague and ambiguous.
17 THE WITNESS: Well, I don't know how you
18 would learn of retaliation without someone telling
19 you. What do you mean, "other than a complaint"?
20 BY MS. BREMER:
21 Q. I mean whether you are doing any tracking
22 of employees after an -- after the investigative
23 findings are issued.
24 A. Tracking them for what?
25 Q. To see what employment decisions are made

230

1 Q. And how do you do that?
2 A. We use a case management system.
3 Q. Is there some type of -- and is the case
4 management system used to track the types of
5 complaints -- to have some sort of summary of the
6 types of complaints that come in in a year, for
7 example?
8 MR. PARKER: Vague and ambiguous.
9 THE WITNESS: We do it for a variety of
10 reasons.
11 BY MS. BREMER:
12 Q. Okay. I understand that your system tracks
13 complaints and types of complaints that you come --
14 that come in because that's where you store the
15 records. I'm -- I'm asking if there's some type of
16 summary of the types of complaints that come in.
17 A. We do generate -- this is just the cases
18 that are done by my team specifically about
19 workplace investigations and what categories those
20 complaints or concerns fell into. We can pull that
21 out in a summary basis, yes, for a period of -- for
22 some period.
23 Q. And when did your group start tracking the
24 cases on the types of cases that you've had
25 workplace investigations?

232

1 **A.** Sometime after March 1st of 2015; I believe
2 it was before the end of that calendar year, but I'm
3 not certain.
4 I know it was before the end of that fiscal
5 year, but that goes all the way to March of the
6 following year -- I'm sorry, May of the following
7 year.
8 **Q.** And who have you pulled those reports on
9 workplace investigations for?
10 **MR. PARKER:** Protected by -- I'm sorry, if
11 it was at the request of an attorney, then that
12 would be privileged and work product, which is a
13 good time to say I've been using the word
14 "privileged" is shorthand for the attorney-client
15 privilege and work product.
16 But if it's somebody who's not an attorney
17 making the request or it's not as part of an
18 investigation, you're free to answer the question.
19 **THE WITNESS:** No. That's never happened.
20 It's only been with our -- for our legal counsel.
21 **BY MS. BREMER:**
22 **Q.** Have you provided any of the reports on the
23 types of workplace investigations to Shauna
24 Holman-Harries?
25 **A.** Not that I recall.

233

1 **Q.** Between 2000 -- since the time that you
2 started managing the separate HR investigators
3 group --
4 **A.** Uh-huh.
5 **Q.** -- approximately how many cases of
6 discrimination has your group investigated regarding
7 headquarters?
8 **A.** Off the top of my head --
9 **MR. PARKER:** This is un- --
10 **THE WITNESS:** Sorry.
11 **MR. PARKER:** This is unrelated to product
12 development, IT, and support. It's just all of HQ?
13 **BY MS. BREMER:**
14 **Q.** Well, let's start with all of HQ.
15 **A.** There's no way I could tell you that off
16 the top of my head.
17 **Q.** But you could generate a report?
18 **A.** If I needed -- we -- only as it pertains to
19 the cases that I've been -- have been conducted --
20 investigations that have been conducted by my team.
21 And we may or may not always have location
22 information.
23 **Q.** And do you know how many workplace
24 investigations your team has conducted relating --
25 making claims of discrimination by employees in the

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1 product development, information technology, and
2 support groups?
3 **A.** I do not.
4 **Q.** Can you provide some approximation of the
5 number of discrimination complaints your group has
6 handled?
7 **A.** No. I would not feel comfortable guessing
8 at that number. We handle a lot of investigations
9 and a lot of different categories.
10 **Q.** What about retaliation complaints? How
11 many retaliation complaints has your group handled?
12 **A.** I don't know. I believe I already answered
13 that question. I don't -- I'm not going to be able
14 to tell you off the top of my head how many cases or
15 investigations we did in any given category.
16 **Q.** Has your group, as a result of an
17 investigation, found that there was retaliation?
18 **MR. PARKER:** As phrased, it calls for
19 attorney-client privilege and work product.
20 **BY MS. BREMER:**
21 **Q.** Has your group provided investigative
22 findings to any employee stating that you had found
23 retaliation?
24 **A.** Off the top of my head, I don't know.
25 **Q.** But you can't think of any right now?

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1 **A.** We have handled cases of retaliation. I
2 could not tell you if we communicated results that
3 there was retaliation to any employee. No. I could
4 not do that.
5 **Q.** Are you aware of any discipline to any
6 Oracle employee who retaliated?
7 **A.** Off the top of my head, no.
8 **Q.** Okay. Turning back to Exhibit 97.
9 **A.** 97. That's 94 -- I thought they were in
10 order -- yes.
11 Which page?
12 **Q.** Page 11.
13 **A.** Okay.
14 **Q.** So under "Closure of Investigation," the
15 document says, "Follow-up with the accused employee.
16 "Put together a closeout memo or email
17 depending on the nature of the investigation."
18 Is that a separate -- separate closeout
19 memo or -- that goes to an accused employee, or
20 would they receive a copy of the investigative memo
21 or email that goes to the complainant?
22 **MR. PARKER:** Vague and ambiguous.
23 **THE WITNESS:** I'm not sure -- I'm not sure
24 I understand your question.
25

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1 BY MS. BREMER:
2 Q. Okay. So, for example, looking at --
3 A. Too many files.
4 Q. Looking at Exhibit 115, for example.
5 A. Okay.
6 Q. Would a memo such as this, results of HR
7 investigation, be sent to [REDACTED] manager,
8 for example?
9 MR. PARKER: Vague and ambiguous.
10 Compound.
11 THE WITNESS: Off the top of my head, I
12 don't know whether [REDACTED] manager received
13 this document.
14 Is that your question?
15 BY MS. BREMER:
16 Q. Yes, but I'm also talking generally. If
17 somebody -- if an employee complained about
18 compensation discrimination, would the manager be
19 notified of the -- of the complaint?
20 MR. PARKER: That's been asked and
21 answered, like, three or four times. And it was
22 corrected, actually, that specific question.
23 THE WITNESS: I have answered the question
24 before.
25

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

239

1 BY MS. BREMER:
2 Q. Is there ever a situation that you are
3 aware of where there was a claim of compensation
4 discrimination that was investigated where the
5 result did not go to the manager of the employee who
6 brought the complaint?
7 A. I am not aware of any specific case that
8 meets that criteria.
9 Q. At the bottom of this page it says, "It is
10 a good practice to file all relevant documents in
11 Workspace."
12 What's that?
13 A. We've talked about that before. That
14 refers to our Beehive Workspace where HR business
15 partners can upload their investigation files when
16 they're not on their laptops.
17 Q. Are you aware of any structural changes
18 that Oracle has made as a result of complaints?
19 MR. PARKER: Vague and ambiguous.
20 THE WITNESS: I don't know what you mean by
21 that.
22 BY MS. BREMER:
23 Q. So there was one example we saw where an
24 employee received a pay adjustment. Are you aware
25 of any situation where a complaint has led to a

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1 MS. BREMER: Let's take a break. I think I
2 am getting close to done.
3 THE VIDEOGRAPHER: We're going off the
4 record. The time is 4:46 p.m. This marks the end
5 of media No. 7.
6 (Recess taken.)
7 THE VIDEOGRAPHER: We're back on the
8 record. The time is 5:04 p.m. This marks the
9 beginning of media No. 8.
10 BY MS. BREMER:
11 Q. I'm going to show you what's been marked as
12 Exhibit No. 25 to the Shauna Holman-Harries
13 deposition.
14 A. Uh-huh. Yes.
15 Q. Are you familiar with this document?
16 A. Yes.
17 Q. At the beginning of the deposition, I asked
18 about how employees would know how to make
19 complaints, and you mentioned the employee handbook.
20 Is this what you were talking about?
21 A. Yes.
22 Q. Okay. So how -- if an employee had a
23 complaint about their compensation, how would they
24 know from the employee manual who to complain to?
25 A. Well, I believe it is in the -- let me make

240

1 sure that's where it goes. There are several
2 sections that reference, I believe reference where
3 to file complaints.
4 So the first one I find is on page 12.
5 That talks about reporting incidents of possible
6 harassment to human resources. Let's see, page 12.
7 Would it be in the EEO policy? It would be in the
8 EEO section, too, how to file complaints. Maybe
9 not. My God this is a long document.
10 MR. PARKER: So why don't you do this.
11 You're going to kill the court reporter by talking
12 out loud to yourself.
13 THE WITNESS: Yeah, I am. I'm sorry, Court
14 Reporter, for talking out loud.
15 MR. PARKER: So when you find something,
16 then speak up. But in the meantime, just let the
17 thought bubble remain closed.
18 THE WITNESS: Thank you very much. I
19 appreciate that advice.
20 In this section on business conduct, starts
21 on page 22.
22 BY MS. BREMER:
23 Q. So page 22 on the section on business
24 conduct, where does it indicate that -- how to make
25 a complaint?

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1 business conduct you were talking about that is
2 attached to the employee handbook?
3 A. I believe so. We only have one code of
4 conduct as far as I know. This copy is really hard
5 to read. Sorry.
6 Q. Why don't you go ahead and read -- this is
7 a --
8 A. Color version.
9 Q. -- a color copy.
10 A. Makes it easier.
11 Q. It's the same document. It just, for some
12 reason, printed without the Bates numbers at the
13 bottom.
14 A. Yeah. That might be easier.
15 MS. BREMER: And we can mark that exhibit
16 as 119, I guess.
17 THE WITNESS: So on page 9 of this document
18 talks about reporting concerns or questions.
19 BY MS. BREMER:
20 Q. And that's just general -- general concerns
21 or questions?
22 MR. PARKER: Document speaks for itself.
23 THE WITNESS: It expands further about the
24 Integrity Helpline on page 10. Let's see. Whoever
25 designed this document should be shot.

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1 A. That's what I was looking for. I'm trying
2 to identify the paragraph for you.
3 So the appendix to this document would be
4 appendix -- I'm sorry, appendix attachment B would
5 be our code of conduct. That document talks about
6 how to file complaints. I don't think it's here,
7 though, is it? It's separate.
8 MS. BREMER: Well, let me mark as -- what's
9 the next exhibit?
10 THE REPORTER: 118.
11 MS. BREMER: -- 118 a document entitled
12 "Oracle Code of Ethics and Business Conduct." I
13 guess I'm going to give you this one, which is Bates
14 labeled ORACLE_HQCA_381143 through 381220.
15 The good copy is not Bates stamped, but
16 it's the same document.
17 (Whereupon, Exhibit 118 was marked for
18 identification.)
19 MR. PARKER: Which number?
20 MS. BREMER: 118.
21 Q. If you look at this, it's on page 4, it
22 says this is the 2017 code of ethics and business
23 conduct.
24 A. That's correct. That's what it says.
25 Q. Is this -- is this the code of ethics and

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1 Okay. I wanted to see if it had anything
2 else in here about filing complaints.
3 I think that's it.
4 BY MS. BREMER:
5 Q. And it --
6 A. It does reference the Integrity Helpline
7 again on page 48. Talks about harassment on page 47
8 and references the ways to file reports.
9 Those are the ones I can find.
10 Q. And are you aware of any document that's
11 provided to Oracle employees that indicates where
12 they can make complaints about compensation
13 discrimination?
14 A. Specifically compensation discrimination?
15 Q. Yes.
16 A. Well, in our new -- if you're talking
17 specifically to the U.S., we have an employment
18 agreement that all employees sign, and that has a
19 section about how you can file complaints.
20 I don't know that it calls out specifically
21 pay discrimination, but it does give information
22 about how to file a complaint.
23 These seem like two different documents
24 because the page numbers are different. These are
25 not the same document. This one goes to, like, 77,

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1 and that one goes to 50-something. So they're not
2 the same.
3 See the table of contents? This one goes
4 only to 58, and these go to 70-something. Just
5 could be different versions.
6 Q. It has different page numbers.
7 A. They're, like, right on the black corners.
8 Right there.
9 Q. Okay. Well, when you were referring to
10 page numbers, were you referring -- you were
11 referring to page -- or Exhibit 119 --
12 A. Yes. I was -- well, I did it in both. But
13 that's why I was saying that. But I think the
14 most -- most of them I did in that version.
15 Q. 119?
16 A. Yeah.
17 MR. PARKER: That's not been marked yet.
18 THE WITNESS: Yeah. 119.
19 (Whereupon, Exhibit 119 was marked for
20 identification.)
21 BY MS. BREMER:
22 Q. Are you aware of any other documents or
23 guidance that Oracle employees are given regarding
24 how to make complaints about their compensation?
25 MR. PARKER: Asked and answered.

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1 THE WITNESS: I think we've talked about
2 that already. All the things I can think of, I
3 think I've shared with you.
4 MS. BREMER: Okay. I think that is it.
5 There are obviously many questions that haven't been
6 answered today as a result of objections.
7 I'm going to go ahead and leave the
8 deposition open.
9 MR. PARKER: I won't agree to that, but I
10 understand.
11 MS. BREMER: Right, right.
12 MR. PARKER: Okay.
13 MS. BREMER: Okay. Thank you.
14 THE WITNESS: Thank you.
15 THE VIDEOGRAPHER: This concludes today's
16 deposition of Tamerlane Baxter. Master media of
17 today's deposition will remain in the custody of
18 Gradillas Court Reporters.
19 The time is 5:17 p.m. We are now off the
20 record.
21 (Ending time: 5:17 PM)
22
23
24
25

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1
2 DECLARATION UNDER PENALTY OF PERJURY
3
4 I, the undersigned, declare under the
5 penalty of perjury that I have read the entire
6 foregoing transcript of my deposition or the same
7 has been read to me, and the same is true and
8 accurate, save and except for changes, corrections,
9 additions or deletions indicated by me on the
10 DEPOSITION ERRATA SHEET hereof, with the
11 understanding that I offer these changes as if still
12 under oath.
13 _____ I have made corrections to my deposition.
14 _____ I have NOT made any changes to my deposition.
15
16 Signed on the _____ day of _____,
17 20____, at _____, _____.
18 (City) (State)
19
20
21 _____
22 TAMERLANE BAXTER
23
24
25

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1
2 REPORTER'S CERTIFICATE
3
4 I, GINA V. CARBONE, CSR No. 8249, RPR, RMR,
5 CRR, CCRR, certify: that the foregoing proceedings
6 were taken before me at the time and place herein
7 set forth; at which time the witness was duly sworn;
8 and that the transcript is a true record of the
9 testimony so given.
10 The dismantling or unbinding of the original
11 transcript will render the reporter's certificate null
12 and void.
13 I further certify that I am not financially
14 interested in the action, and I am not a relative or
15 employee of any attorney of the parties, nor of any of
16 the parties.
17 Dated this 17th day of July, 2019.
18
19 _____
20 GINA V. CARBONE
21 CSR #8249, STATE OF CALIFORNIA
22
23
24
25

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1 ERRATA SHEET
2 Deposition of: TAMERLANE BAXTER
Date taken: JULY 3, 2019
3 Case: OFCCP, etc. vs. ORACLE AMERICA, INC.
PAGE LINE
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