

## **EXHIBIT 2-12**

Highly Confidential - Attorneys' Eyes Only

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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ORACLE AMERICA, INC., )  
Plaintiff, )  
vs. ) No. CV 10-03561 WHA  
GOOGLE, INC., ) VOLUME I  
Defendant. )  
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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Videotaped Deposition of NOEL POORE,  
taken at 42 Chauncy Street, Boston,  
Massachusetts, commencing at 2:05 p.m.,  
Wednesday, September 7, 2011, before  
Jill Shepherd, RPR, MA-CSR No. 148608,  
NH-CSR No. 128, CA-CSR No. 13275, CLR,  
and Notary Public.

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1 discussed my report with Mr. Vandette. 14:36:07  
2 Q. Did you discuss your report with Erez 14:36:11  
3 Landau? 14:36:17  
4 MS. AGRAWAL: Objection. Form. 14:36:18  
5 A. No. 14:36:19  
6 Q. Did you discuss your report with Seeon 14:36:19  
7 Birger? 14:36:22  
8 MS. AGRAWAL: Objection. Form. 14:36:22  
9 A. No. 14:36:23  
10 Q. Anyone else you discussed your report with 14:36:24  
11 other than Professor Mitchell and 14:36:30  
12 Mr. Kessler? 14:36:32  
13 MS. AGRAWAL: Objection. Form. 14:36:33  
14 A. I don't recall discussing it with anyone 14:36:33  
15 else, no. 14:36:39  
16 Q. Did you discuss it with some attorneys; is 14:36:39  
17 that correct? 14:36:43  
18 MS. AGRAWAL: And I caution -- I 14:36:43  
19 instruct the witness -- caution the witness 14:36:44  
20 not to reveal attorney-client privileged 14:36:46  
21 communications; but to the extent you can 14:36:48  
22 answer the question with a yes or no, you 14:36:50  
23 can answer. 14:36:52  
24 A. Yes, I have. I have discussed the report 14:36:53  
25 with attorneys, yes. 14:36:56