

IN THE MATTER OF THE TORONTO COMPUTER LEASING INQUIRY**AFFIDAVIT OF LARRY GRIFFITH**

I, Larry Griffith, of the City of Burlington, in the Province of Ontario, **MAKE OATH AND SAY:**


1. I am an account manager with Oracle Corporation Canada Inc. ("Oracle Canada"), and as such have knowledge of the matters to which I herein depose.
2. I have been employed as an account manager with Oracle Canada since 1995. Prior to 1995, I was a sales representative for SHL Systemhouse (from 1993 until 1995) and I worked for IBM in a number of positions, including technical support and sales.
3. My responsibilities at Oracle Canada were sales to the broader municipal sector including municipalities (excluding Ottawa), public utilities and police. The City of Toronto, including the former municipalities, was one of my accounts.
4. This affidavit is supplemental to the affidavit sworn previously by me in these proceedings dated July 7, 2003.

ORACLE CANADA AND JEFF LYONS

5. During the 1997/1998 period, Oracle Canada made a proposal to the City of Toronto to purchase Oracle Enterprise Database software licenses.
6. In the spring of 1998, Oracle Canada, in pursual of its above-mentioned proposal to the City, sought to raise its awareness at the City's senior bureaucratic and political levels with respect to the Oracle Canada license proposal.
7. Oracle Canada was aware that Mr. Jeff Lyons had contacts in the City's senior bureaucratic and political levels.

- 8. Mr. Lyons was retained by Oracle Canada pursuant to the terms contained in a letter dated April 2nd, 1998 between Jeff Lyons and Mark Aboud, Regional Sales Manager of Oracle Canada.
- 9. The term of Mr. Lyons' engagement was for a period of two months, April and May, 1998.
- 10. Oracle Canada asked Mr. Lyons to raise the awareness of Oracle Canada's role as an existing business partner and potential future supplier of the Oracle Enterprise Database software licenses to the senior management and political levels of the newly amalgamated City of Toronto.
- 11. Mr. Lyons arranged a meeting on May 25, 1998 between Mr. Tom Jakobek, himself, Mark Aboud and the undersigned. This meeting was held in Mr. Jakobek's office and lasted ten minutes. During the meeting, the Oracle Canada representatives provided Mr. Jakobek with a high level overview of both Oracle Canada and the 1997/1998 proposal for Enterprise Database software licenses. There were no further meetings or communications between Mr. Jakobek and Oracle Canada after this meeting.
- 12. This meeting with Mr. Lyons and Mr. Jakobek took place approximately 1½ years prior to renewed discussions between Oracle Canada and the City concerning the Enterprise Database software license contract that was eventually entered into between the City of Toronto and Oracle Canada on December 31, 1999.
- 13. Copies of the invoices received from Mr. Lyons for the months of May and June, 1998 are attached herewith, such invoices having been paid in full.

Sworn before me in the City of)
 Mississauga, Province of Ontario)
 this 13 day of May, 2004)


 _____)
 Ross A. Bradley)
 Commissioner for Taking Affidavits)


 _____)
 LARRY GRIFFITH)

IN ACCOUNT WITH

May 1, 1998

Mr. Mark Aboud, Regional Sales Manager
 Oracle Corporation Canada Inc.
 110 Matheson Boulevard West
 Suite 100
 Mississauga, Ontario
 L5R 3P4

G.S.T. No: 893698092
 Invoice No: 7205
 File No: 980213

Re: City of Toronto

FOR PROFESSIONAL SERVICES RENDERED, as follows:

For consulting services including meetings and telephone conversations

TOTAL FEES	\$5,000.00
7.00% G.S.T.	<u>350.00</u>
	\$5,350.00
TRANSFERRED FROM TRUST	<u>5,350.00</u>
TOTAL AMOUNT NOW DUE	<u>\$.00</u>

SILVER, BROWN, SOSNOVITCH

PER:

 Jeffery S. Lyons

According to Section 35 of the Solicitors Act
 4% interest per annum will be charged, one
 month after Statement is sent.

E. & O.E.

APR-22-2004 04:21 PM TCLI

416 338 3944

P. 04



May 1, 1998

Mr. Mark Aboud, Regional Sales Manager
Oracle Corporation Canada Inc.
110 Matheson Boulevard West
Suite 100
Mississauga, Ontario
L5R 3P4

G.S.T. No: 893698092

File No: 980213

Re: City of Toronto

STATEMENT OF TRUST THROUGH MAY 1, 1998

APR 29/98 RECEIVED FROM Oracle Corporation Canad
RETAINER
MAY 1/98 PAID TO SILVER BROWN, SOSNOVITCH
AS PER ATTACHED STATEMENT

5,350.00

5,350.00

55,350.00

55,350.00

APR-22-2004 04:22 PM TCLI

416 338 3944

P.05

01-MAY-98

SILVER, BROWN, BOSNOVITCH
PREBILLING REPORT THROUGH 01/05/98

PAGE: 001

LAWYER 0 Jeffrey S. Lyons INT LAWYER 8 BILL FORMAT 22 BILL PRSQ M QUOTE 30 N FRES TO DATE 30

LE 980213 Oracle Corporation Canada Inc. RE: Re: City of Toronto

DATE	LAWYER	ACTIVITY	DESCRIPTION	TIME	VALUE	TRUST
APR 29/98	T002660	REC	RETAINER			5,350.00-
DISBURSED TOTAL					0.00	5,350.00-
TOTAL TO BE BILLED					0.00	

AM IS ONLY BILL FRES/DISBURSED DO NOT BILL ADJUST FEE/BILL TO CHANGE FEE ALLOCATION

BALANCE IN A / R 0.00 BALANCE IN TRUST 0.00 BALANCE IN TRUST 5,350.00- TRANSFER FROM TRUST

IN ACCOUNT WITH

June 1, 1998

Mr. Mark Aboud, Regional Sales Manager
Oracle Corporation Canada Inc.
110 Matheson Boulevard West
Suite 100
Mississauga, Ontario
L5R 3P4

G.S.T. No: 893698092
Invoice No: 7387
File No: 980213

Re: City of Toronto

FOR PROFESSIONAL SERVICES RENDERED. as follows:

For consulting services including meetings and telephone conversations

TOTAL FEES	\$5,000.00
7.00% G.S.T.	<u>350.00</u>
	\$5,350.00
TRANSFERRED FROM TRUST	<u>5,350.00</u>
TOTAL AMOUNT NOW DUE	<u>\$.00</u>

MORRISON BROWN SOSNOVITCH

PER: _____
Jeffery S. Lyons

According to Section 35 of the Solicitors Act
4% interest per annum will be charged, one
month after Statement is sent.

E. & O.E.

June 1, 1998

Mr. Mark Aboud, Regional Sales Manager
Oracle Corporation Canada Inc.
110 Matheson Boulevard West
Suite 100
Mississauga, Ontario
L5R 3P4

G.S.T. No: 893698092

File No: 980213

Re: City of Toronto

STATEMENT OF TRUST THROUGH JUNE 1, 1998

APR 29/98	RECEIVED FROM Oracle Corporation Canada RETAINER		5,350.00
MAY 1/98	PAID TO SILVER BROWN SOSNOVITCH PAY BILL #7205	5,350.00 *	
JUN 1/98	RECEIVED FROM Oracle Corporation Canada RETAINER		5,350.00
JUN 1/98	PAID TO MORRISON BROWN SOSNOVITCH AS PER ATTACHED STATEMENT	5,350.00	
		<hr/>	
		\$10,700.00	\$10,700.00
		<hr/>	

* INCLUDES G.S.T. OF \$350.00

APR-22-2004 04:23 PM TCLI

416 338 3944

P.08

01-JUN-98

MORRISON BROWN ROSENWITZ
PREBILLING REPORT THROUGH 01/06/98

PAGE: 001

LAWYER B Jeffery S. Lyons INT LAWYER \$ BILL FORMAT 22 BILL PREC M QUOTE 60 M FEES TO DATE \$5,000

980213 Oracle Corporation Canada Inc.

RE: Re: City of Toronto

DATE	LAWYER	ACTIVITY	DESCRIPTION	TIME	VALUE	TRUST
------	--------	----------	-------------	------	-------	-------

TIME TOTAL	0.00	0.00				
------------	------	------	--	--	--	--

APR 29/98	T002680	REC	RETAINER			5,350.00-
MAY 1/98	T003506	CHE	48 PAY BILL #7205			5,350.00
JUN 1/98	T002727	REC	RETAINER			5,350.00-

DISBURSED TOTAL	0.00	5,350.00-
-----------------	------	-----------

(G.S.T. REGISTRATION # 892898052)	TOTAL G.S.T.	0.00	350.00
------------------------------------	--------------	------	--------

TOTAL TO BE BILLED	0.00	
--------------------	------	--

AS IS ONLY BILL FEES/DISBURSED ---- DO NOT BILL ---- ADJUST FEE/BYLL TO ----- CHANGE FEE ALLOCATION ----

BALANCE IN A / R	0.00	BALANCE IN TERM	0.00	BALANCE IN TRUST	5,350.00-	TRANSFER FROM TRUST -----
------------------	------	-----------------	------	------------------	-----------	---------------------------