

ORACLE CORP
Form DEFA14A
May 08, 2009

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the

Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): May 8, 2009

Oracle Corporation

(Exact name of registrant as specified in charter)

Delaware
(State or other jurisdiction of

incorporation)

000-51788
(Commission

File Number)

500 Oracle Parkway, Redwood City, California 94065

(Address of principal executive offices) (Zip Code)

(650) 506-7000

(Registrant's telephone number, including area code)

N/A

(Former name or former address, if changed since last report.)

54-2185193
(I.R.S. Employer

Identification Number)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following:

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- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- ☒ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 8.01 Other Events

On May 8, 2009, Oracle Corporation (Oracle) confirmed that, prior to its signing of the definitive agreement to acquire Sun Microsystems, Inc. (Sun), Oracle had received disclosures from Sun regarding the potential violations of the Foreign Corrupt Practices Act, which were disclosed in Sun 's Form 10-Q for the quarterly period ending March 29, 2009, filed with the U.S. Securities and Exchange Commission on May 8, 2009.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Date: May 8, 2009

ORACLE CORPORATION

By /s/ Jeff Epstein

Name: Jeff Epstein

Title Executive Vice President and Chief Financial
Officer