



New Constructs[®]

Diligence | Independence | Performance

Open Letter to Larry Ellison: How To Boost Oracle's Value By \$65 Billion

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**Important Disclosure Information is contained on the last page of this report.
The recipient of this report is directed to read these disclosures.**

Strategy: Specific Action

ORCL should put less of an emphasis EPS and focus more free cash flow and ROIC.

Payoff of Action

Thesis:

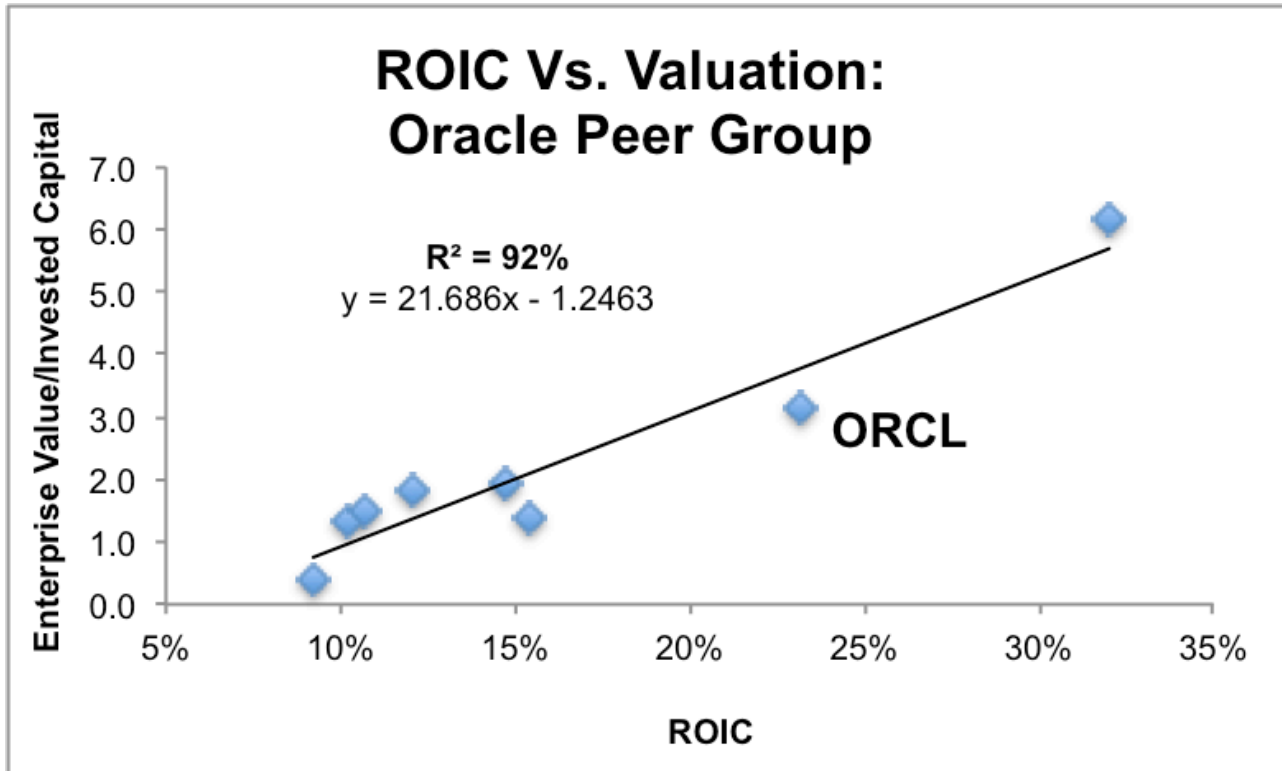
Management can boost the market value of ORCL by \$25-\$65 billion simply by aligning the firm's strategy and performance compensation with real cash flows or what we call return on invested capital (ROIC).

Basis of Argument

Our thesis is predicated on the ideas that

(a) real cash flows matter and

(b) superior profitability is ultimately rewarded by the market.



Help Clients Transcend The Noise

Stock Research/Recommendations Are Biased & Incomplete



Strategy: Action: Find Safe Stocks

1. [Most Attractive Stocks](#) – monthly newsletter
2. [Long Ideas](#) – weekly reports on our blog
 - [“10 Stocks To Get You Through A Bear Market”](#)
 - [“The Market Values High ROIC Companies”](#)
 - [“High ROIC Stocks Outperformed in 2008”](#)
 - [“Long Idea: Allegiant Travel Company \(ALGT\)”](#)
3. [Education Center](#) – get details, transparency

Strategy: Action: Find Dangerous Stocks

1. [Most Dangerous Stocks](#) – monthly newsletter
2. [Danger Zone](#) – weekly reports on our blog
 - [“Danger Zone: WhiteWave Foods \(WWAV\)”](#)
 - [“Suspended Ratings”](#)
 - [“Danger Zone: Lowlights From 2015”](#)
 - [“Why PE Ratios Are Not A Good Measure Of Value”](#)
3. [Forensic Accounting](#) – get details, transparency

Strategy: Action: Find Safe Funds

1. [Best & Worst Sector Funds](#) – quarterly newsletter
2. [Best & Worst Style Funds](#) – quarterly newsletter
3. [Sector Ratings](#)
4. [Unique Methodology](#) – get details, transparency

Evidence: EPS & Rating Manipulation

MarketWatch.com and Financial Times headlines

[MarketWatch.com 8/18/2015](#): Survey of 500+ CFOs

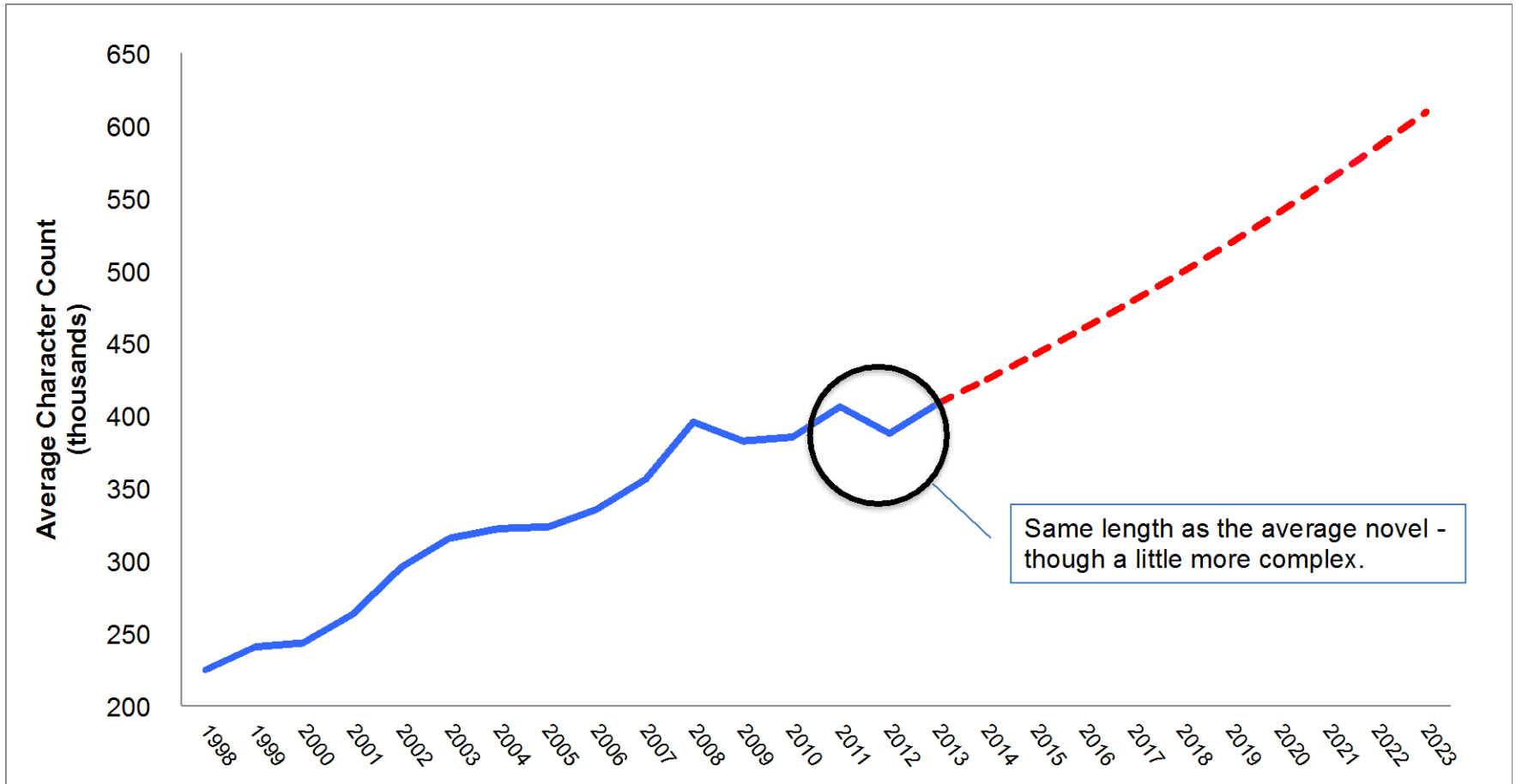
1. “20% of CFOs say earnings are fudged”
2. “Magnitude of misrepresentation is... 10%”
3. [sell side] “Analysts usually don’t actively detect poor earnings quality.”

[Financial Times 8/12/2015](#): Wall Street analyst confesses

1. “[Why a buy is not really a buy](#)” – Integrity Research
2. “Brown-Nosed Buy”, “Client Driven Buy”, “Industry Buy” and “Neglect”
3. Ignored by institutional investors, dangerous to the rest

Analytical Rigor Hard To Scale

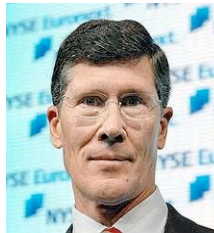
Keeping Up With Disclosures Is Nearly Impossible



Disclosure Trends Are Not Your Friend

More Data, More Noise

- Filings have grown to **200+ pages**
(That's longer than the average novel.)
- Increasingly complex and time-consuming work
- Accounting rules are constantly changing



Recognized By Top Clients & Media

- Top wealth management firms
- Top advisors
- Top accounting & consulting firms



Proof Is In Performance

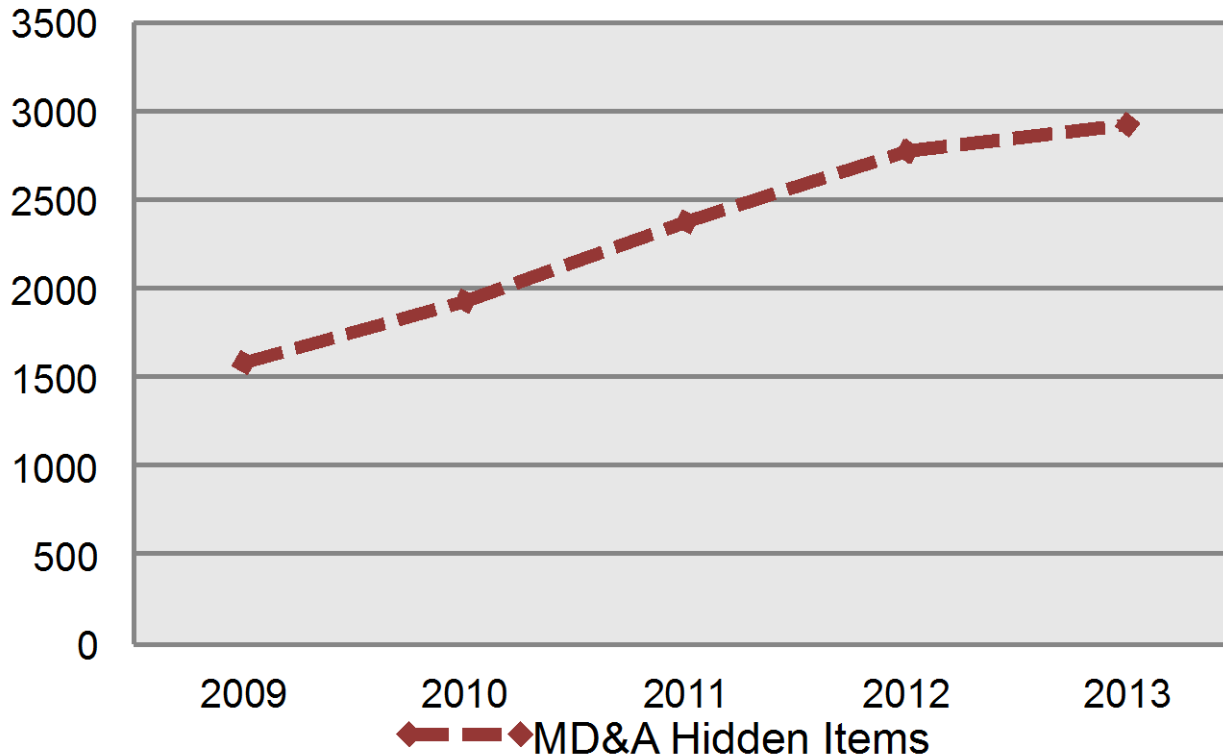
[Performance Tracking](#)– quarterly newsletter

- Honest
- Direct
- Diligent
- Accountable

Don't Just Take My Word For It – You Don't Have To.

More Needles, Bigger Haystacks

Material Hidden Items
16% CAGR



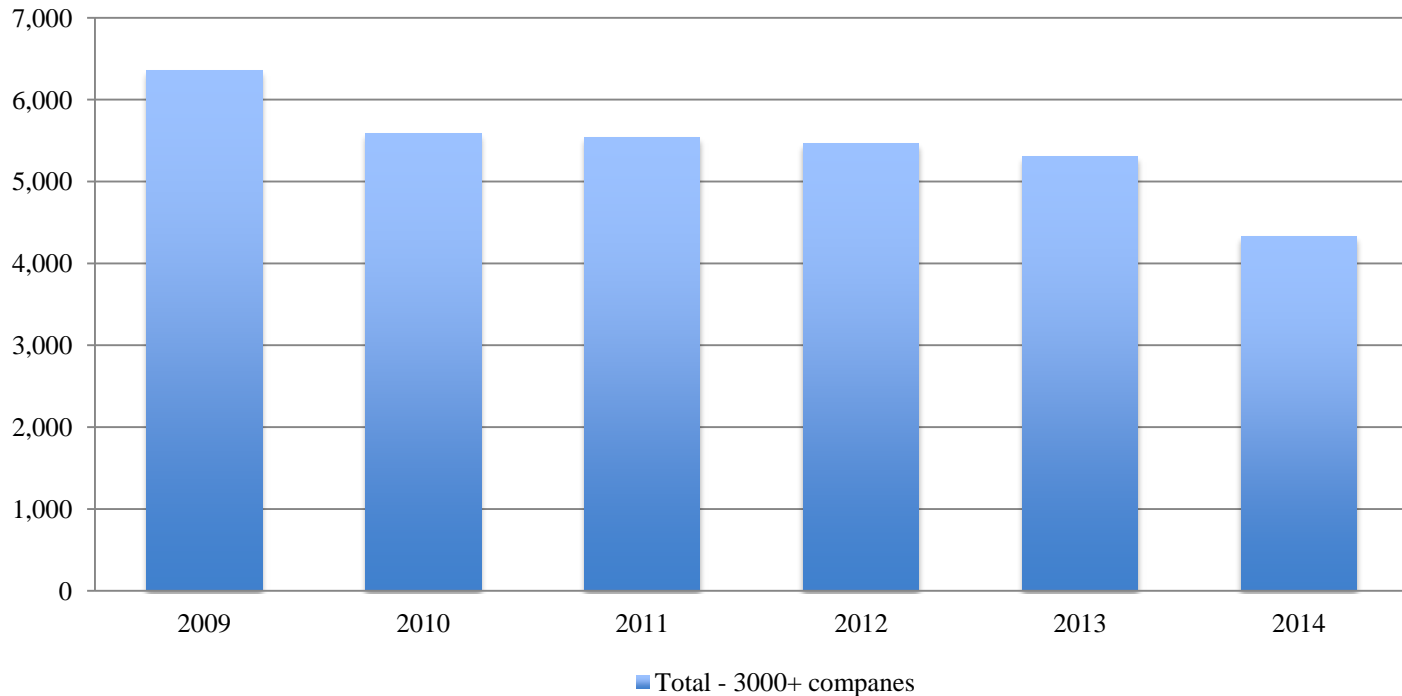
Items found only in the MD&A (e.g. gains, charges, deferred items, etc) that distort income statement results are rising rapidly.

Large Asset Write-Downs – A Red Flag

32,583

Over the last 5+ Years, we found 32,583 write-downs.

of Write-Downs

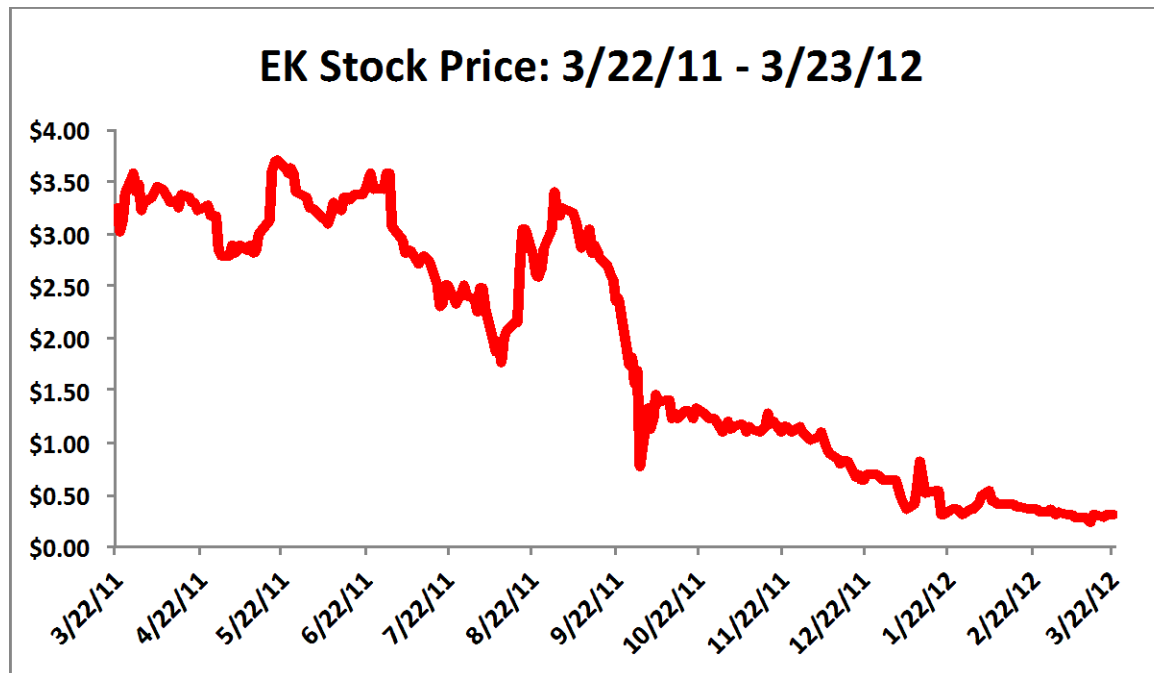


Early Indicator for Bankruptcy

Report on Eastman Kodak (EKDKQ.PK) on [3/21/2011](#)

2010 10-K Revealed Abnormal Pension Assumptions

1. 2.2% of revs from pension, abnormally high return on plan asset assumption 8.7%
2. Underfunded by \$2.6bn or 3x the market cap at the time
3. Valuation implied 10% CAGR in NOPAT for 11 years
4. Down 90% while S&P 500 was down ~3%, no longer under coverage



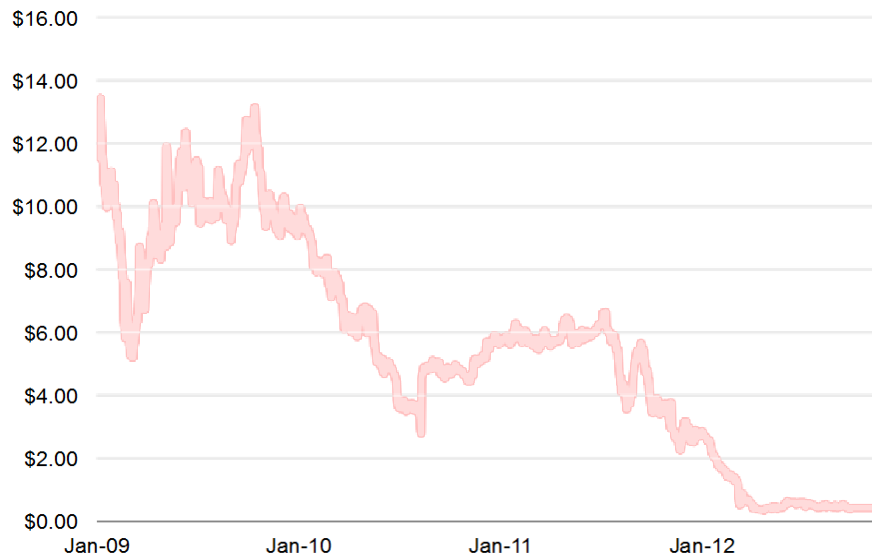
*This graph was created based on information collected and analyzed by New Constructs, LLC. New Constructs regularly gathers information from over 3,000 companies' 10Ks, including the Notes to the Financial Statements and MD&A.

Early Indicator for Fraud

Dynegy (DYN) Fraud Case 2012 – Defrauding Creditors

1. Asset transfer in subsidiaries found to be fraudulent
2. Benefited activist investor Carl Icahn, with two board representatives at DYN
3. New Constructs rating before fraud charges: Very Dangerous
4. Write-Downs in 3-yrs prior to fraud: 16 charges totaling \$3.85bn (346% net assets)

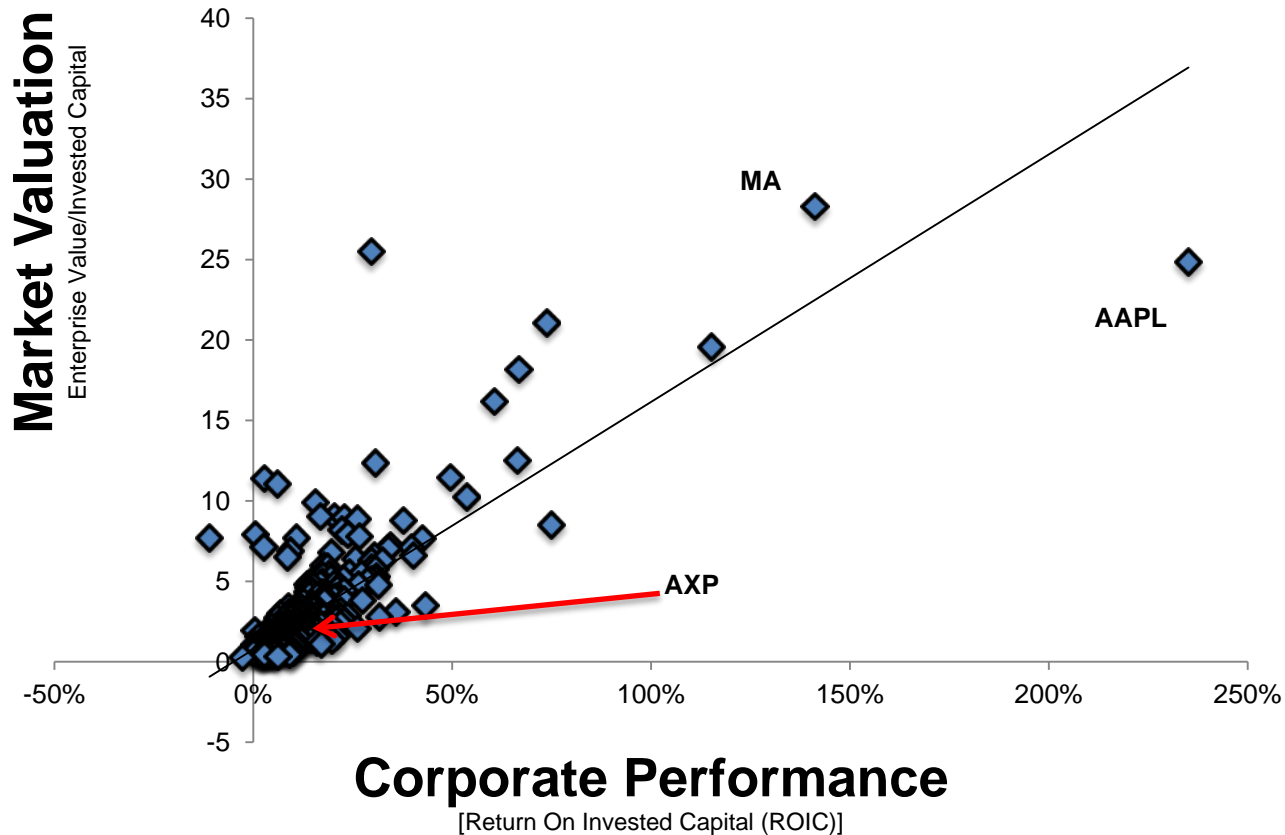
DYN - stock price



Direct Link: Services & Stock Price

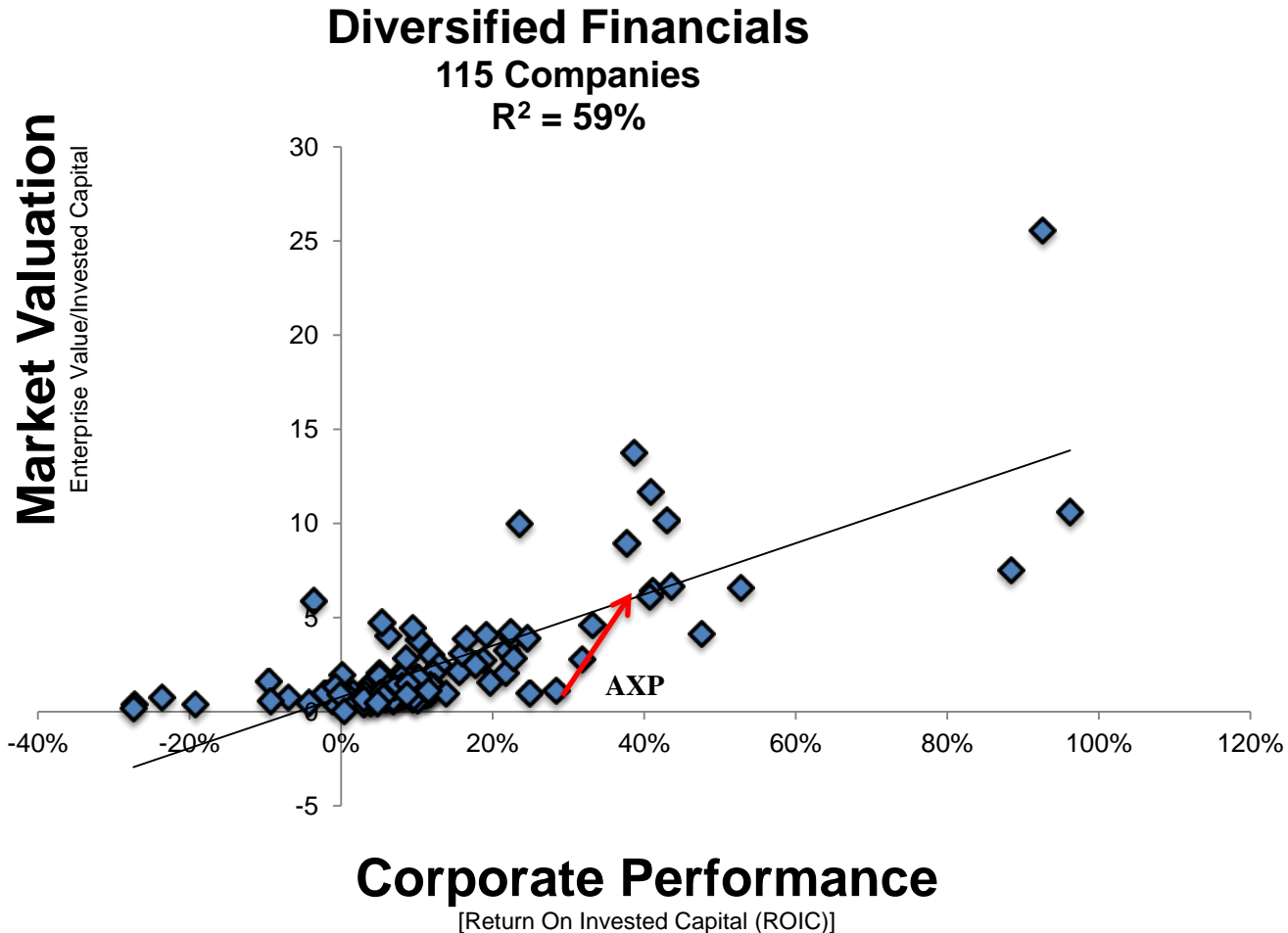
Improve Corporate Performance -> Improve Stock Price

$R^2 = 63\%$ for S&P500



Sector/Industry Detail and Benchmarks

Big Picture Supported By Individual Company Models



Detailed Ratings, Models and Reports

Intel Corporation (INTC) : \$29.76 at close on Jan 15, 2016

Overall Risk/Reward Rating	Quality of Earnings		Valuation		
	Economic vs Reported EPS	Return on Invested Capital (ROIC)	FCF Yield	Price-to-EBV Ratio	Growth Appreciation Period (GAP)
Very Dangerous	Misleading Trend	Bottom Quintile	< -5%	> 3.5 or -1 < 0	> 50
Dangerous	False Positive	4th Quintile	-5% < -1%	2.4 < 3.5 or < -1	20 < 50
Neutral	Neutral EE	3rd Quintile	-1% < 3%	1.6 < 2.4	10 < 20
Attractive	Positive EE	2nd Quintile	3% < 10%	1.1 < 1.6	3 < 10
Very Attractive	Rising EE	Top Quintile	> 10%	0 < 1.1	0 < 3

Actual Values					
INTC	\$1.13 vs. \$2.34	15%	6%	1.0	< 1

Benchmarks					
S&P 500 (SPY)	Positive EE	19%	2%	2.8	25
Russell 2000 (IWM)	Positive EE	6%	-1%	3.3	31

[Company Model](#) [Download Report](#)

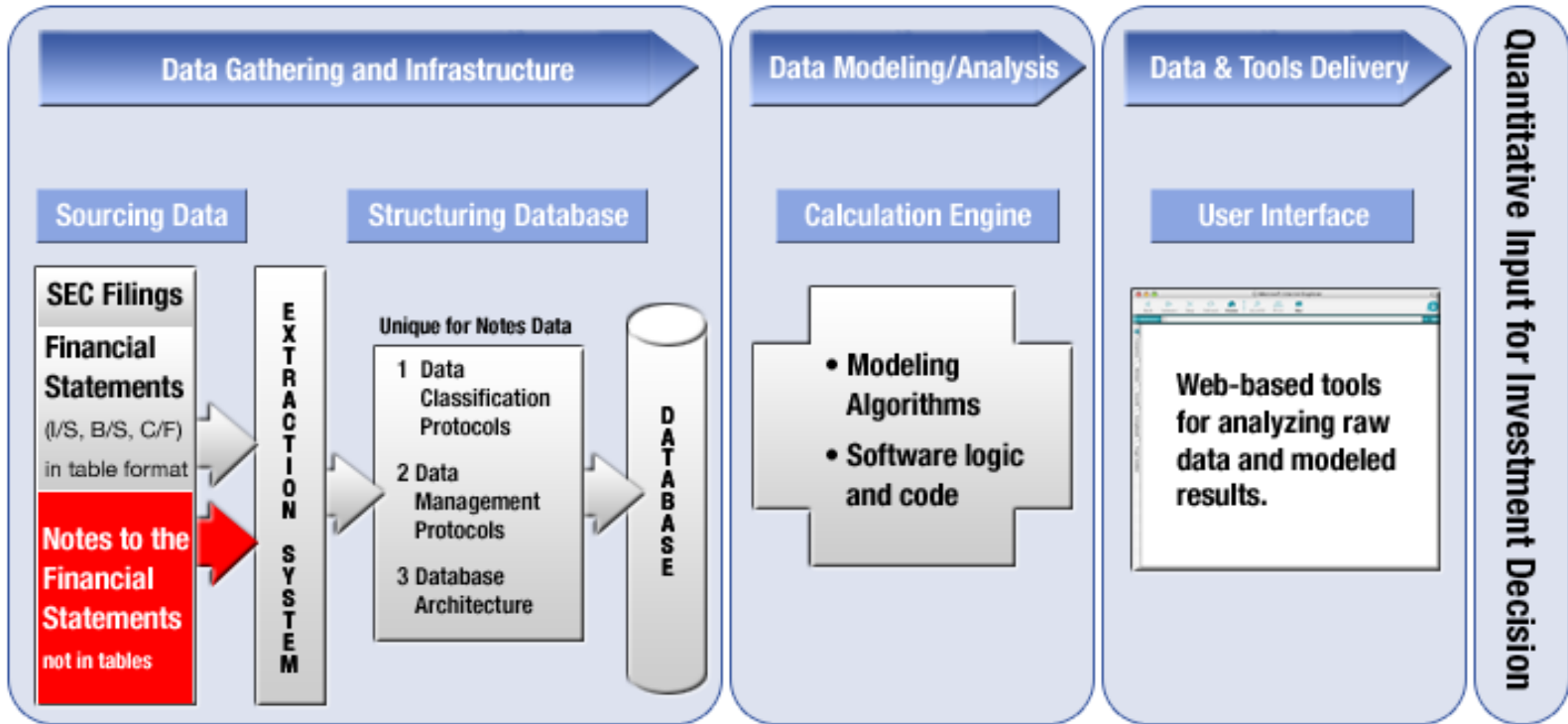
Free Resources

1. [Free research](#), alerts and updates
2. Free [Education](#)
3. Free [Tutorials](#)
4. See our [models](#)
 - 100% transparency
 - Directly linked to SEC filings
 - 100% customizable

Appendix

Proprietary Research Platform

Focus: Exploit Insights from Footnotes on 3000+ Stocks



Source: Novo Capital Management, LLC

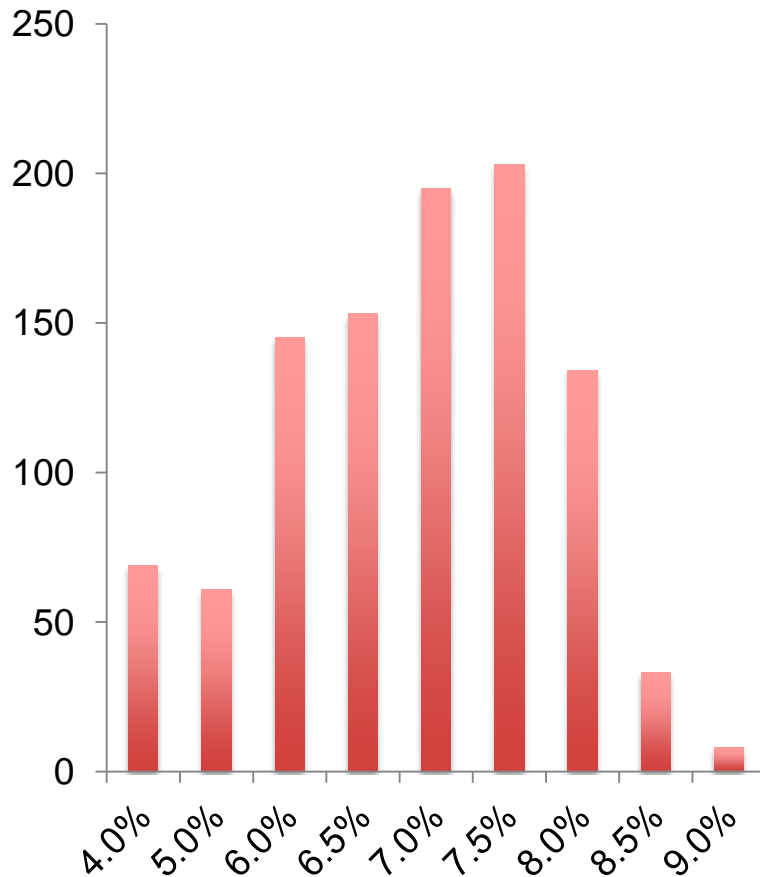
Gathering and analyzing data from the *Notes to the Financial Statements* is key to better analysis and understanding of:

1. **Profitability and**
2. **Valuation.**

Management's Influence on Profits

Micro and Macro Views

Distribution of Return On Plan Asset Assumptions



Auditors & investors need to know this data.

- Raising the expected Return on Plan Assets (EROPA) reduces reported pension expense.
- The mean EROPA for 2014 was 6.5%. Roughly 55% of companies expect a long-term return on plan assets between 6.5% and 7.5%.
- Virtusa Corp (VRTU) has the most aggressive assumptions, with EROPA of 10.38%, followed by Exlservice Holdings (EXLS) at 9%.

Value Proposition

We find it. You benefit.

1. Best fundamental data in the business
2. Best earnings quality and valuation models
3. Best protection from devils in details of SEC filings
 - Led by top **accounting & finance expertise** leveraging the best technology

Basic Services

Coverage	3000+ Stocks	400+ ETFs	7000+ Mutual Funds
	Updated Daily	Updated Daily	Updated Daily
Protection	Ratings & Reports	Ratings & Reports	Ratings & Reports
	Screeners	Screeners	Screeners
Idea Generation	Monthly Newsletter	Qrtly Newsletter	Qrtly Newsletter
	Pick of the Week	Pick of the Week	Pick of the Week
Monitoring	Portfolio Reviews	Portfolio Reviews	Portfolio Reviews
	Alerts	Alerts	Alerts
Access	Web/mobile	Web/mobile	Web/mobile
	Email	Email	Email
	Custom data/reports	Custom data/reports	Custom data/reports

Portfolio Tracking & Alerts

My Dashboard [My Portfolio](#) Ratings Screeners [Blog](#)

Add up to 50 tickers at a time to your portfolio.

Portfolio: My Portfolio (default) » Edit » Alerts Add Ticker(s): Add

Ticker ▲	Name	Type	Sector / Category	Price ¹	Mkt Val / AUM ²	Overall Rating	Report / Details	ROIC	FCF Yield	Price to EBV	GAP	Analyst Notes ³	Remove
AAPL	Apple Inc.	Stock	Information Technology	\$118.90	\$697,329	Attractive		177%	6%	1.1	> 100		✘
ABCO	The Advisory Board Company	Stock	Industrials	\$47.33	\$1,704	Dangerous		5%	-8%	6.5	> 100	Upgraded: Jan 22 Most Dangerous	✘
AIG	American International Group, Inc.	Stock	Financials	\$49.26	\$68,960	Attractive		6%	15%	0.8	< 1	Upgraded: Jan 16	✘
AMZN	Amazon.com Inc.	Stock	Consumer Discretionary	\$311.78	\$144,356	Dangerous		1%	-4%	-16.1	> 100	Upgraded: Jan 22	✘
BA	The Boeing Company	Stock	Industrials	\$147.78	\$105,357	Attractive		14%	6%	1.7	19	Poor Disclosure	✘
BBH	Van Eck Market Vectors Biotech ETF	ETF	Health Care	\$123.37	\$727	Neutral		16%	-1%	5.3	55		✘
BCSIX	Brown Capital Management Mutual Funds: Brown Capital Management Small	Mutual Fund	Small Cap Growth	\$70.01	\$2,634	Neutral		19%	0%	4.8	79		✘
BFAM	Bright Horizons Family Solutions, Inc.	Stock	Consumer Discretionary	\$49.16	\$3,238	Very Dangerous		6%	-3%	25.2	79		✘
CI	CIGNA Corporation	Stock	Health Care	\$109.62	\$28,674	Very Attractive		16%	4%	1.0	2	Most Attractive	✘
CRM	salesforce.com Inc.	Stock	Information Technology	\$58.10	\$36,661	Dangerous		-2%	-4%	-8.6	> 100	Upgraded: Jan 22 Most Dangerous	✘

Overview/Background

Independent Proprietary Research & Diligence

New Constructs, LLC

- Founded July 2002
- Top-rated research by [Barron's](#)
- Deep, financial accounting expertise
- Patented research technology
- Footnotes expertise is a competitive advantage
- Integrated ratings for 3000 stocks, 400 ETFs and 7000 mutual funds

David Trainer:

Former auditor with Arthur Andersen and equity analyst at Credit-Suisse, Mr. Trainer is the CEO of New Constructs, LLC. He leverages his accounting and finance expertise with proprietary technology that gleans insights from over 70,000 10-K filings.

Mr. Trainer also serves on FASB's [Investor Advisory Committee](#), where he helps shape new and existing accounting rules. He has also advised the Senate Banking Committee and the subcommittee for Securities, Insurance and Investments.

He is a Wall Street veteran and corporate finance expert.

He is author of [Modern Tools for Valuation](#) (Wiley Finance 2010).

What Do We Mean by “Independent and Unbiased”?

We Provide A True Investor Perspective

No banking, advisory or Wall Street ties – none

- Access our raw data via **Marked-up filings**: [download a sample](#).

Unadulterated expertise in accounting, finance and SEC filings.

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