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## Actuate Corporation Q4 2008 Earnings Call Transcript

### Question-and-Answer Session

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#### Operator

(Operator Instructions) Your first question comes from Nathan Schneiderman - Roth Capital Partners.

#### Nathan Schneiderman - Roth Capital Partners

A couple of few questions for you here, just curious did you have any or what was the magnitude of catch up maintenance payments this quarter and also last quarter?

#### Daniel A. Gaudreau

Let me give you maybe a higher level number, catch up back maintenance year-over-year was down about \$1 million, at least \$1 million. I'm not sure I want to get in to specific quarters Nate.

#### Nathan Schneiderman - Roth Capital Partners

Just to clarify there because just trying to put our arms around the sequential dip in maintenance, did you have some renewal issues or churn or what can you say about the sequential decline because even if you strip out the large catch up in the year ago you increase sequentially, what can you help us with there?

#### Daniel A. Gaudreau

We did not experience any unusual declines. I would say that that large US transaction that I was talking about, a chunk of that would have hit revenue as well as some of the MR backlog in EMEA, that also would have hit revenue. Now, you should expect to see that in Q1.

#### Nathan Schneiderman - Roth Capital Partners

That's just a deal that pushed to Q1?

#### Daniel A. Gaudreau

That's correct.

#### Nathan Schneiderman - Roth Capital Partners

On the big deal comps of 76 versus 95 in the year ago on the \$100,00 plus, is that just macro or is there anything else that you would highlight for the sharp decline year-over-year?

**Peter I. Cittadini**

I think it is macro and I think it was an absolute solid baseline business quarter. As you know, we only did one sizeable transaction of \$1 million plus and baseline business got us to the \$10.1 million of license. So, I'd say it's primarily macro when you're just looking at the year-over-year from last Q4.

**Nathan Schneiderman - Roth Capital Partners**

Can you clarify, you gave us the non-GAAP tax rate, I'm curious what is the GAAP tax rate you estimate for '09 and to the extent that there is sharp decline year-over-year, what's driving that decline?

**Daniel A. Gaudreau**

We expect GAAP taxes in '09 to pick up I would say so we booked about \$1 million this year on whatever the pre-tax number was. I would say that the GAAP tax rate will be approaching that 20% and therefore that's why we're modeling it as the non-GAAP rate as well.

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