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 15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA—SAN FRANCISCO DIVISION**

17 In re ORACLE CORPORATION
 18 SECURITIES LITIGATION,

Master File No. C-01-0988 (SI) (Consolidated)

19 This Documents Relates To:

**JOINT STIPULATION AND [PROPOSED]
 ORDER REGARDING SUBMISSION OF
 RECENT DECISIONS**

20 ALL ACTIONS

Honorable Judge Susan Illston

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1 WHEREAS, the United States District Court for the District of Minnesota issued an order
2 granting motions for summary judgment in *In re Retek Inc. Securities Litigation*, No. 02-4209
3 JRT (D. Minn. Mar. 31, 2009), a copy of which is attached as Exhibit A;

4 WHEREAS, the United States District Court for the Northern District of California
5 issued an order denying motions to dismiss in *In re UTStarcom, Inc., Securities Litigation*, No. C
6 04-04908 JW (N.D. Cal. Mar. 27, 2009), a copy of which is attached as Exhibit B;

7 WHEREAS, the United States District Court for the Central District of California issued
8 an order granting motions to dismiss in *In re Downey Securities Litigation*, No. CV-08-3261
9 JFW, 2009 WL 736802 (C.D. Cal. Mar. 18, 2009), a copy of which is attached as Exhibit C;

10 WHEREAS, the United States District Court for the Southern District of California
11 issued an order granting motions to dismiss in *In re Dothill Systems Corporation Securities
12 Litigation*, No. 06-CV-228 JLS, 2009 U.S. Dist. LEXIS 22022 (S.D. Cal. Mar. 18, 2009), a copy
13 of which is attached as Exhibit D; and

14 WHEREAS, the *In re Retek Inc. Securities Litigation, In re UTStarcom, Inc., Securities
15 Litigation, In re Downey Securities Litigation* and *In re Dothill Systems Securities Litigation*
16 cases were decided after the February 13, 2009 hearing on the parties' Motions for Summary
17 Judgment.

18 THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE to submit these
19 cases to the Court.

20 DATED: April 2, 2009

21 Respectfully submitted,

22 LATHAM & WATKINS LLP

COUGHLIN STOIA GELLER
RUDMAN AND ROBBINS LLP

24 By /s/ Patrick E. Gibbs
Patrick E. Gibbs
25 Counsel for Defendants Oracle Corporation,
Lawrence J. Ellison, Jeffrey O. Henley, and
26 Edward J. Sanderson

By /s/ Shawn Williams
Shawn Williams
Counsel for Plaintiffs

27 Pursuant to General Order 45.X.B., I, Patrick Gibbs, certify that Shawn Williams has
28 concurred in the filing of this stipulation and proposed order.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:



THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE