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19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA  
 21 OAKLAND DIVISION

22 ORACLE USA, INC., et al.,  
 23 Plaintiffs,  
 24 v.  
 25 SAP AG, et al.,  
 26 Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DEFENDANTS' NOTICE OF  
 LODGING PLAINTIFFS'  
 DOCUMENTS IN SUPPORT OF  
 DEFENDANTS' OFFER OF PROOF  
 REGARDING THE AT-RISK REPORT  
 AND IMPACT ON DAMAGES  
 ANALYSIS**

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on November 19, 2010, Defendants filed Offer of Proof Regarding the At-Risk Report and Impact on Damages Analysis (ECF No. 994). This document contained materials that were submitted under seal pursuant to Local Rule 79-5(c). In compliance with the Court's Order and Civil Local Rules, and given the voluminous nature, as well as the size and shape of these documents, Defendants hereby give notice that these documents were lodged with the Clerk's Office on November 22, 2010 for record purposes in lieu of electronic filing:

1. Exhibit A (Defendants' Trial Exhibit A-0059) to ECF No. 994 (Offer of Proof Regarding the At-Risk Report and Impact on Damages Analysis).
2. Exhibit B (Defendants' Trial Exhibit A-9338) to ECF No. 994 (Offer of Proof Regarding the At-Risk Report and Impact on Damages Analysis).

Defendants give notice that these materials should be kept and maintained by the clerk in the official record for this case.

Dated: November 23, 2010

JONES DAY

By: /s/ Tharan Gregory Lanier  
Tharan Gregory Lanier

Counsel for Defendants  
SAP AG, SAP AMERICA, INC., and  
TOMORROWNOW, INC.