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17 Attorneys for Defendants
SAP AG, SAP AMERICA, INC., and
18 TOMORROWNOW, INC.

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)

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION FOR STAY
OF EXECUTION OF JUDGMENT
THROUGH APPEAL AND APPROVAL
OF PROPOSED SECURITY
PURSUANT TO FRCP 62**

28

1 Having considered (1) Defendants’ Motion for Stay of Execution of Judgment Through
2 Appeal and Approval of Proposed Security Pursuant to FRCP 62; (2) the Declaration of Tharan
3 Gregory Lanier in Support of Defendants’ Motion for Stay of Execution of Judgment Through
4 Appeal and Approval of Proposed Security Pursuant to FRCP 62 (“Lanier Decl.”) and exhibits
5 thereto; (3) the Declaration of Marcin Plonka in Support of Defendants’ Motion for Stay of
6 Execution of Judgment Through Appeal and Approval of Proposed Security Pursuant to FRCP 62
7 (“Plonka Decl.”); and (4) the Declaration of Michael Junge in Support of Defendants’ Motion for
8 Stay of Execution of Judgment Through Appeal and Approval of Proposed Security Pursuant to
9 FRCP 62 (“Junge Decl.”), all of which were filed with the Court on March 24, 2011:

10 IT IS HEREBY ORDERED THAT: Defendants’ motion is GRANTED. Execution of
11 final judgment is stayed pending disposition of post-judgment motions and, if necessary, appeal.
12 Defendants are ORDERED to deposit \$1,325,033,547.00 into an escrow account under the terms
13 described in Defendants’ Proposed Escrow Agreement, attached as Exhibit 1 to the Lanier Decl.,
14 within 14 days after this order is entered.

15 DATED: _____

By: _____
Hon. Phyllis J. Hamilton