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22 UNITED STATES DISTRICT COURT
 23 NORTHERN DISTRICT OF CALIFORNIA
 24 OAKLAND DIVISION

24 ORACLE USA, INC., *et al.*,

25 Plaintiffs,

26 v.

27 SAP AG, *et al.*,

28 Defendants.

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No. 07-CV-01658 PJH (EDL)

STIPULATED REQUEST FOR ORDER
 SHORTENING TIME RE ORACLE'S
 MOTION FOR STAY; [PROPOSED] ORDER

1 On September 12, 2011, Plaintiff Oracle International Corporation filed a motion
2 to certify the Post-Trial Order for interlocutory appeal under 28 U.S.C. § 1292(b) (the
3 “Certification Motion”); and on September 13, Oracle USA, Inc. and Oracle International
4 Corporation (“Oracle”) filed a motion to stay all other case activities and the deadline to accept
5 or reject the remittitur, pursuant to the Court’s September 1, 2011 Post-Trial Order, while the
6 certification motion and any resulting appellate proceedings are pending (the “Stay Motion”).
7 Oracle and Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. now stipulate, and
8 ask the Court to order, that the time to hear the Stay Motion be shortened. *See* N.D. Cal. Civ.
9 Local Rules 6-1, 6-2.

10 The Stay Motion should be heard on shortened time for the reasons stated in the
11 accompanying Declaration of Geoffrey M. Howard in Support of Stipulated Motion to Shorten
12 Time (“Howard Decl.”). In summary, the current deadline for Oracle to accept or reject the
13 remittitur is September 30, 2011. Howard Decl. ¶ 2. The next available time on the Court’s
14 motion calendar is January 11, 2012 (when the Certification Motion will be heard). Unless time
15 is shortened, the Stay Motion cannot be heard until January 2012. *Id.* ¶ 3. Absent shortened
16 time, Oracle’s deadline to accept or reject the remittitur will pass before the stay motion is heard.
17 *Id.* ¶ 4. In addition, deadlines for pretrial proceedings or other matters may occur in the months
18 before the stay motion is heard. *Id.* Since Oracle is seeking a stay of the deadline to accept or
19 reject the remittitur and of pretrial and other deadlines, effective relief cannot be granted unless
20 the Stay Motion is heard before those deadlines pass. *Id.* Defendants oppose issuance of the
21 stay, but stipulate to the Court hearing the Stay Motion on shortened time. *Id.* ¶ 5.

