

1 Robert A. Mittelstaedt (SBN 060359)  
 Jason McDonell (SBN 115084)  
 2 Elaine Wallace (SBN 197882)  
 JONES DAY  
 3 555 California Street, 26<sup>th</sup> Floor  
 San Francisco, CA 94104  
 4 Telephone: (415) 626-3939  
 Facsimile: (415) 875-5700  
 5 ramittelstaedt@jonesday.com  
 jmcdonell@jonesday.com  
 6 ewallace@jonesday.com

7 Tharan Gregory Lanier (SBN 138784)  
 Jane L. Froyd (SBN 220776)  
 8 JONES DAY  
 1755 Embarcadero Road  
 9 Palo Alto, CA 94303  
 Telephone: (650) 739-3939  
 10 Facsimile: (650) 739-3900  
 tglanier@jonesday.com  
 11 jfroyd@jonesday.com

12 Scott W. Cowan (Admitted *Pro Hac Vice*)  
 Joshua L. Fuchs (Admitted *Pro Hac Vice*)  
 13 JONES DAY  
 717 Texas, Suite 3300  
 14 Houston, TX 77002  
 Telephone: (832) 239-3939  
 15 Facsimile: (832) 239-3600  
 swcowan@jonesday.com  
 16 jlfuchs@jonesday.com

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)

**PROOF OF SERVICE**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I, Shirley Nakano-McSwain, declare:

I am a citizen of the United States and employed in Santa Clara County, California. I am over the age of eighteen years and not a party to the within-titled action. My business address is 1755 Embarcadero Road, Palo Alto, California 94303.

On December 8, 2011, I served a copy of the following document(s):

DEFENDANTS' OPPOSITION TO AMENDED MOTION FOR LEAVE TO INTERVENE

[PROPOSED] ORDER DENYING AMENDED MOTION FOR LEAVE TO INTERVENE

DECLARATION OF JANE L. FROYD IN SUPPORT OF DEFENDANTS' OPPOSITION TO AMENDED MOTION FOR LEAVE TO INTERVENE

EXHIBITS A-B TO THE DECLARATION OF JANE L. FROYD IN SUPPORT OF DEFENDANTS' OPPOSITION TO AMENDED MOTION FOR LEAVE TO INTERVENE

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Palo Alto, California addressed as set forth below.

Terry M. Myers  
W. 232 Forest Avenue  
Mundelein, IL 60060

Executed on December 8, 2011, at Palo Alto, California.

/s/ Shirley Nakano-McSwain  
\_\_\_\_\_  
Shirley Nakano-McSwain