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3 Three Embarcadero Center San Francisco, CA 94111-4067 4 Telephone: 415.393.2000 Fassimile: 415.393.2286 donn,pickett@bingham.com geoff.howard@bingham.com geoff.howard@bingham.com BOIES, SCHILLER & FLEXNER LLP DAVID BOIES (Admitted Pro Hac Vice) 333 Main Street Armonk, NY 10504 Telephone: (914) 749-8200 Facsimile: (914) 749-8300 dboies@bsfllp.com STEVEN C. HOLTZMAN (SBN 144177) FRED NORTON (SBN 224725) 1999 Harrison St., Suite 900 Oakland, CA 94612 Telephone: (510) 874-1460 sholtzman@bsfllp.com DORIAN DALEY (SBN 154227) 500 Oracle Parkway, M/S 50p7 Redwood City, CA 94070 Telephone: 550.506.7144 dorian.deley@racle.com jennifer.gloss@oracle.com Attorneys for Plaintiff Oracle International Corp. UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND DIVISION ORACLE USA, INC., et al., Plaintiffs, V. Plaintiffs, V. PROPOSEDJ ORDER GRANTING ORACLE'S MOTION FOR LEAVE TO REGARDING SAVED DEVELOPMENT COSTS POFENDANCE PROPOSEDJ ORDER GRANTING ORACLE'S MOTION FOR LEAVE TO COSTS	2		
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V. ORACLE'S MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION REGARDING SAVED DEVELOPMENT COSTS Defendants.		ORACLE USA, INC., et al.,	No. 07-CV-01658 PJH (EDL)
24 SAP AG, et al., 25 Defendants. CORACLE'S MOTION FOR LEAVE TO FILE MOTION FOR RECONSIDERATION REGARDING SAVED DEVELOPMENT COSTS 26 27 28	23	Plaintiffs,	
SAP AG, et al., COSTS Defendants. REGARDING SAVED DEVELOPMENT COSTS		V.	
25 Defendants. 26 27 28		SAP AG, et al.,	
27 28		Defendants.	
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	28		NO. 07-CV-01658 PJH (EDL)

1	Before the Court is Oracle's Motion for Leave to File a Motion for	
2	Reconsideration Regarding Saved Development Costs (the "Motion") filed by Plaintiffs Oracle	
3	International Corporation ("Oracle"). After considering the pleadings, memoranda, and	
4	supporting papers submitted by the Parties, and having heard the arguments of counsel, IT IS	
5	HEREBY ORDERED that Oracle's Motion is GRANTED.	
6	At the retrial, Oracle will be allowed to submit evidence of SAP's saved	
7	development costs in support of the hypothetical license valuation.	
8	IT IS SO ORDERED.	
9		
10	DATED:, 2012 Hon. Phyllis J. Hamilton	
11	United States District Court Judge	
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