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

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

23 Plaintiffs,

24 v.

25 SAP AG, *et al.*,

26 Defendants.

No. 07-CV-01658 PJH (EDL)

**[PROPOSED] ORDER GRANTING
 ORACLE'S MOTIONS *IN LIMINE***

1 Before the Court is Oracle International Corporation’s (“Oracle”) Motions *In*
2 *Limine*. After considering the pleadings, memoranda, and supporting papers submitted by the
3 Parties, and having heard the arguments of counsel, **IT IS HEREBY ORDERED** that Oracle’s
4 Motions are **GRANTED**. At the new trial:

5 1. Defendants are precluded from introducing or eliciting any testimony or
6 argument related to the causation opinion of their damages expert, Stephen Clarke.

7 2. Defendants are precluded from introducing or eliciting any testimony or
8 argument related to Clarke’s “market study” of the third-party support market.

9 3. Defendants are precluded from admitting evidence that is otherwise
10 inadmissible through an expert unless in accordance with Federal Rule of Evidence 703.

11 4. Defendants are precluded from relying on the five late produced customer
12 declarations in support of any damages analysis.

13 5. Defendants are precluded from introducing or eliciting any testimony,
14 argument, evidence, or documents that support the deduction of costs from defendants’
15 infringers’ revenues.

16 **IT IS SO ORDERED.**

17 DATED: _____, 2012

18 _____
19 Hon. Phyllis J. Hamilton
20 United States District Court Judge