

1 BINGHAM MCCUTCHEN LLP
 DONN P. PICKETT (SBN 72257)
 2 GEOFFREY M. HOWARD (SBN 157468)
 BREE HANN (SBN 215695)
 3 Three Embarcadero Center
 San Francisco, CA 94111-4067
 4 Telephone: 415.393.2000
 Facsimile: 415.393.2286
 5 donn.pickett@bingham.com
 geoff.howard@bingham.com
 6 bree.hann@bingham.com

7 BOIES, SCHILLER & FLEXNER LLP
 DAVID BOIES (Admitted Pro Hac Vice)
 8 333 Main Street
 Armonk, NY 10504
 Telephone: (914) 749-8200
 9 Facsimile: (914) 749-8300
 dboies@bsfllp.com

10 STEVEN C. HOLTZMAN (SBN 144177)
 FRED NORTON (SBN 224725)
 11 1999 Harrison St., Suite 900
 Oakland, CA 94612
 Telephone: (510) 874-1000
 12 Facsimile: (510) 874-1460
 13 sholtzman@bsfllp.com
 fnorton@bsfllp.com

14 DORIAN DALEY (SBN 129049)
 15 JENNIFER GLOSS (SBN 154227)
 500 Oracle Parkway, M/S 5op7
 16 Redwood City, CA 94070
 Telephone: 650.506.4846
 17 Facsimile: 650.506.7144
 dorian.daley@oracle.com
 18 jennifer.gloss@oracle.com

19 Attorneys for Plaintiff Oracle International Corp.

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.*,
 Defendants.

No. 07-CV-01658 PJH (EDL)

**DECLARATION OF NITIN JINDAL IN
 SUPPORT OF PLAINTIFF'S MOTIONS *IN*
 LIMINE**

1 I, Nitin Jindal, declare that I am an attorney licensed to practice law in the State of
2 California and am an associate at Bingham McCutchen LLP, counsel of record for plaintiff
3 Oracle International Corporation (“Oracle” or “Plaintiff”). I have personal knowledge of the
4 facts stated below and could testify competently to them if required.

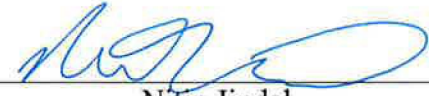
5 1. I submit this declaration in support of Oracle’s Motions in Limine. The
6 boxes in the attached exhibit have been added to further assist the Court in identifying the
7 information cited in Oracle’s Motion.

8 2. Attached as **Exhibit A** are true and correct copies of excerpts of the 2010
9 trial transcript in this matter. The following portions of the trial transcript comprise **Exhibit A**:

Date(s)	Trial Transcript Pages	Description of Event
11/2/10	400:1-10	SAP’s Opening Statement
11/9/10	1143:24-1145:24, 1151:20-1152:16, 1156:20-1157:14, 1163:13-22	Cross Examination of Oracle’s Expert, Paul Meyer
11/9/10	1169:16-17	Discussion Regarding Admissibility of Exhibits
11/15/10	1448:12-21	Discussion Regarding Stipulation
11/16/10	1523:23-24	Discussion Regarding Admissibility of Exhibits
11/16/10	1531:3-1533:13, 1534:2-1535:4, 1538:1-2, 1551:12-16, 1570:3-1573:9, 1589:17-1590:11, 1591:12-1592:2, 1592:20-1594:10, 1598:1-1608:6, 1612:22-1613:1, 1621:19-1630:21	Direct Examination of SAP’s Expert, Stephen Clarke

22 3. Attached as **Exhibit B** are true and correct copies of relevant excerpts of
23 the May 7, 2010 Supplemental Expert Report of Stephen K. Clarke.
24
25
26
27
28

1 I declare under penalty of perjury under the laws of the United States that the
2 foregoing facts are true and correct, and that this Declaration was executed on April 17, 2012 in
3 San Francisco, California.



Nitin Jindal