

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUL 06 2012

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ORACLE CORPORATION, a Delaware  
corporation; et al.,

Plaintiffs - Appellees,

v.

TERRY M. MYERS,

Intervenor - Appellant,

v.

SAP AG, a German corporation; et al.,

Defendants - Appellees.

No. 12-15482

D.C. No. 4:07-cv-01658-PJH  
U.S. District Court for Northern  
California, Oakland

**ORDER**

A review of the file in this case reveals that the appellant has failed to perfect the appeal as prescribed by the Federal Rules of Appellate Procedure.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to respond to the order of this court dated June 5, 2012.

This order served on the district court shall constitute the mandate of this court.

FOR THE COURT:  
Molly C. Dwyer  
Clerk of Court

Cyntharee K. Powells  
Deputy Clerk