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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ORACLE CORPORATION, et al.,

Plaintiffs,

v.

SAP AG, et al.,

Defendants.

Case No. 07-CV-1658 PJH (EDL)

**STIPULATED REQUEST AND  
 [PROPOSED] ORDER SHORTENING  
 TIME TO HEAR DEFENDANTS'  
 MOTION TO STAY OR TO EXTEND  
 TIME TO COMPLY WITH JULY 3,  
 2008 DISCOVERY ORDER**

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Oracle Corporation, Oracle USA,  
2 Inc., and Oracle International Corporation (“Oracle”) and Defendants SAP AG, SAP America,  
3 Inc. and TomorrowNow, Inc. (“Defendants”) hereby submit this stipulated request to shorten time  
4 to hear Defendants’ Motion to Stay or to Extend Time to Comply with the Court’s July 3, 2008  
5 Discovery Order (“Defendants’ Motion”).

6 Defendants’ Motion is being filed concurrently with this Stipulated Request. The motion  
7 seeks a stay of, or an extension of time to comply with, the Court’s July 3, 2008 Order to produce  
8 documents provided to the grand jury, pending appeal of that Order to Judge Hamilton.  
9 Specifically, the motion seeks a stay of or an extension from the current compliance date of July  
10 23, 2008 until a date seven (7) days after the disposition by Judge Hamilton of Defendants’  
11 appeal.

12 Oracle plans to oppose Defendants’ Motion. Under Civil Local Rule 6-3(c), Oracle has  
13 until July 23rd to file its opposition. However, Oracle has agreed to file its opposition two (2)  
14 days early, on July 21, and Defendants have agreed not to file a reply brief so that the Court may  
15 rule on Defendants’ Motion on or before the current compliance date of July 23. The reasons for  
16 this requested shortening of time are set forth in the accompanying Declaration of Jason  
17 McDonell.

18  
19 DATED: July 18, 2008

JONES DAY

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21 By: /s/ Jason McDonell  
Jason McDonell

22 Attorneys for Defendants  
23 SAP AG, SAP AMERICA, INC., and  
24 TOMORROWNOW, INC.

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In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

DATED: July 18, 2008

BINGHAM McCUTCHEN LLP

By: /s/ Geoffrey M. Howard  
Geoffrey M. Howard

Attorneys for Plaintiffs  
Oracle Corporation, Oracle International Corporation, and Oracle USA, Inc.

PURSUANT TO STIPULATION , IT IS SO ORDERED.

Dated: July 21, 2008

ELIZABETH D. LAPORTE  
United States District Judge  
