



Office of the Clerk
United States Court of Appeals for the Ninth Circuit
Post Office Box 193939
San Francisco, California 94119-3939
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Molly C. Dwyer
Clerk of Court

September 17, 2012

No.: 12-17053
D.C. No.: 4:07-cv-01658-PJH
Short Title: ORCL, et al v. SAP AG, et al

Dear Appellants/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

The due dates for filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 17 2012

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

ORACLE CORPORATION, a Delaware corporation; ORACLE INTERNATIONAL CORPORATION; ORACLE SYSTEMS CORPORATION; ORACLE USA INC.; ORACLE EMEA LIMITED; J.D. EDWARD EUROPE LIMITED; SIEBEL SYSTEMS, INC.,

Plaintiffs - Appellants,

v.

SAP AG, a German corporation; SAP AMERICA INC.; TOMORROWNOW INC., a Texas corporation,

Defendants - Appellees.

No. 12-16944

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

TIME SCHEDULE ORDER

ORACLE CORPORATION, a Delaware corporation; ORACLE INTERNATIONAL CORPORATION; ORACLE SYSTEMS CORPORATION; ORACLE USA INC.; ORACLE EMEA LIMITED; J.D. EDWARD EUROPE LIMITED; SIEBEL SYSTEMS, INC.,

Plaintiffs - Appellees,

v.

No. 12-17053

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

SAP AG, a German corporation; SAP
AMERICA INC.; TOMORROWNOW
INC., a Texas corporation,

Defendants - Appellants.

This order vacates all brief due dates set by previously issued time schedule orders. The parties shall meet the following cross appeal time schedule.

Mon., September 24, 2012 Mediation Questionnaire due. If your registration for Appellate ECF is confirmed after this date, the Mediation Questionnaire is due within one day of receiving the email from PACER confirming your registration.

Mon., December 10, 2012 The party(s) who filed the first appeal shall file and serve the first brief on cross-appeal pursuant to FRAP 32 and 9th Cir. R. 32-1.

Wed., January 9, 2013 The party(s) who filed the second appeal shall file and serve the second brief on cross-appeal pursuant to FRAP 32 and 9th Cir. R. 32-1.

Fri., February 8, 2013 The third brief on cross-appeal shall be filed and served pursuant to FRAP 32 and 9th Cir. R. 32-1.

The optional cross appeal reply brief shall be filed and served within fourteen days of service of the third brief on cross appeal, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellants to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.

FOR THE COURT:
Molly C. Dwyer
Clerk of Court

Gerald Rosen
Deputy Clerk