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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE CORPORATION, et al.,

Plaintiffs,

v.

SAP AG, et al.,

Defendants.

No. C-07-01658 PJH (EDL)

**FURTHER ORDER REGARDING SCOPE
OF DISCOVERY OF
ELECTRONICALLY
STORED INFORMATION**

On July 3, 2008, the Court issued an order limiting custodian discovery to 120 custodians subject to proof from Defendants to support their representation that the estimated average cost of producing documents per custodian is \$100,000. On July 8, 2008, Defendants' counsel Scott Cowan filed a declaration extensively detailing Defendants' costs relating to custodian discovery. The refined estimate of \$96,021.00 per custodian as described in the Cowan declaration is very close to the estimate previously provided to the Court and conservatively excludes certain costs such as German language review. Therefore, the Cowan declaration adequately supports Defendants' initial representation to the Court. The Court reaffirms its decision that custodian discovery is limited to 120 custodians.

IT IS SO ORDERED.

Dated: July 21, 2008

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge