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 19 TOMORROWNOW, INC.

20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA  
 22 SAN FRANCISCO DIVISION

23 ORACLE CORPORATION, et al.,

24 Plaintiffs,

25 v.

26 SAP AG, et al.,

27 Defendants.

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

**DEFENDANTS' NOTICE OF  
 LODGING OF DOCUMENTS FOR  
 IN CAMERA REVIEW**

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT, pursuant to this Court’s July 25, 2008 Order, and in connection with Plaintiffs’ August 1, 2008 Motion to Compel Production of Clawed Back Documents, Defendants will lodge the following five documents with the Court today for the Court’s *in camera* review:

- 1. TN-OR00854803-04;
- 2. TN-OR00164402-10;
- 3. TN-OR01157057-59;
- 4. TN-OR01058166-170;
- 5. TN-OR00868717-19.

These documents are not intended to be, and should not be, filed in the public record because they contain information protected under the attorney-client privilege and/or the attorney work product doctrine. The documents are being lodged with the Court for the sole purpose of the Court’s *in camera* review in connection with the above-referenced motion. The lodging of these documents is not intended, and should not be construed as, a waiver in any way of the attorney-client privilege, the attorney work product doctrine, or any other applicable privilege.

Pursuant to the Judge LaPorte’s July 25, 2008 Order, Defendants will further respond to Plaintiff’s Motion to Compel Production of Clawed Back Documents on or before August 8, 2008.

Dated: August 1, 2008

JONES DAY

By: /s/ Jason McDonell  
Jason McDonell

Counsel for Defendants  
SAP AG, SAP AMERICA, INC., and  
TOMORROWNOW, INC.