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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)

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

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

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

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

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

17 Pursuant to the Judge LaPorte's July 25, 2008 Order, Defendants will further respond to
18 Plaintiff's Motion to Compel Production of Clawed Back Documents on or before August 8,
19 2008.

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21 Dated: August 1, 2008

JONES DAY

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23 By: /s/ Jason McDonell
24 Jason McDonell

25 Counsel for Defendants
26 SAP AG, SAP AMERICA, INC., and
27 TOMORROWNOW, INC.
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