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 16 and Oracle International Corporation

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SAN FRANCISCO DIVISION

19 ORACLE CORPORATION, a Delaware
 20 corporation, ORACLE USA, INC., a Colorado
 21 corporation, and ORACLE INTERNATIONAL
 22 CORPORATION, a California corporation,

22 Plaintiffs,

23 v.

23 SAP AG, a German corporation, SAP
 24 AMERICA, INC., a Delaware corporation,
 25 TOMORROWNOW, INC., a Texas corporation,
 26 and DOES 1-50, inclusive,

26 Defendants.

CASE NO. 07-CV-01658 PJH (EDL)

**PLAINTIFFS' ADMINISTRATIVE
 MOTION TO FILE THEIR REPLY
 IN SUPPORT OF MOTION TO
 COMPEL UNDER SEAL;
 DECLARATION OF TANYA K.
 DUMAS IN SUPPORT**

Date: TBD

Time: TBD

Courtroom: E, 15th Floor

Judge: Hon. Elizabeth D. Laporte

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 A/72630187.1

PLAINTIFFS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL

1 **DECLARATION OF TANYA K. DUMAS IN SUPPORT OF**
2 **PLAINTIFFS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

3 I, Tanya K. Dumas, declare:

4 1. I am a member of the State Bar of California and an associate at Bingham
5 McCutchen LLP, counsel of record for plaintiffs Oracle Corporation, Oracle USA, Inc., and
6 Oracle International Corporation (together "Oracle") in this action. Except for matters stated
7 below on information and belief, I have personal knowledge of the matters stated in this
8 declaration by virtue of my representation of Oracle in this action. If called and sworn as a
9 witness, I could and would competently testify to such matters.

10 2. Pursuant to Civil Local Rule 79-5 and the stipulated Protective Order entered on
11 June 6, 2007 in this case (Docket No. 32), I make this Declaration in support of Oracle's
12 Administrative Motion to File its Reply in Support of Motion to Compel under seal.

13 3. The requested relief is necessary and narrowly tailored to protect the alleged
14 confidentiality of the materials put at issue by the Motion until such time as the Court makes a
15 final ruling as to confidentiality of the relevant subject matter. *See* Plaintiffs' Admin. Mot. to
16 File Their Mot. to Compel and Supporting Documents Under Seal (Docket No. 134, filed Aug. 1,
17 2008); Defendants' Response to Plaintiffs' Admin. Mot. to File Under Seal (Docket No. 147,
18 filed Aug. 13, 2008). Specifically, Oracle's Motion and supporting exhibits contain information
19 designated by Defendants as "Highly Confidential Information - Attorneys' Eyes Only," as well
20 as information designated by Defendants as "Confidential Information," pursuant to the
21 Protective Order entered on June 6, 2007 in this action.

22 4. Pursuant to Civil Local Rule 7-11, no stipulation is included with this
23 Administrative Motion, because the parties disagree over whether the documents that are the
24 subject of this motion are properly designated as confidential or highly confidential and whether
25 they need to be filed under seal. The parties have met and conferred over the confidentiality
26 designations of these particular materials, resulting in Defendants filing their Response on
27 August 13, 2008 (Docket No. 147).

