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17 18	Attorneys for Defendants SAP AG, SAP AMERICA, INC., and TOMORROWNOW, INC.	
19	UNITED STATES DISTRICT COURT	
20	NORTHERN DISTRICT OF CALIFORNIA	
21	SAN FRANCISCO DIVISION	
22	ORACLE USA, INC., et al.,	CASE NO. 07-CV-1658 PJH (EDL)
23	Plaintiffs,	[PROPOSED] ORDER GRANTING DEFENDANTS' EPCP 12(B)(1) AND
24	v.	DEFENDANTS' FRCP 12(B)(1) AND 12(B)(6) MOTION TO DISMISS PLAINTIFFS' COPYRIGHT
25	SAP AG, et al.,	INFRINGEMENT, INTERFERENCE WITH PROSPECTIVE ECONOMIC
26	Defendants.	ADVANTAGE, BREACH OF CONTRACT, UNFAIR COMPETITION,
27 28		AN ACCOUNTING AND UNJUST ENRICHMENT
20	SVI-62448v1	[PROPOSED] ORDER GRANTING MOTION TO DISMISS Case No. 07-CV-1658 PJH (EDL)

1	Having considered Defendants' FRCP 12(b)(1) and 12(b)(6)Motion to Dismiss Plaintiffs'	
2	Claims for Copyright Infringement, Interference with Prospective Economic Advantage, Breach	
3	of Contract, Unfair Competition, An Accounting, and Unjust Enrichment ("Motion to Dismiss"),	
4	supporting declaration of Tharan Gregory Lanier, and exhibits attached thereto, that were lodged	
5	with the Court on October 15, 2008:	
6	IT IS HEREBY ORDERED THAT: Defendants' motion is GRANTED. The Court	
7	hereby dismisses with prejudice and without leave to amend: (1) the copyright claims of J.D.	
8	Edwards Europe Limited pursuant to Rule 12(b)(1); (2) the copyright claims of Oracle Systems	
9	Corporation pursuant to Rule 12(b)(6); (3) Plaintiffs' claims for intentional and negligent	
10	interference with prospective economic advantage pursuant Rule 12(b)(6); (4) Plaintiffs' claim	
11	for breach of contract pursuant to Rule 12(b)(6); (5) Plaintiffs' claims for unfair competition	
12	pursuant to Rule 12(b)(6); (6) Plaintiffs' claims for an accounting pursuant to Rule 12(b)(6); and	
13	(7) Plaintiffs' claims for unjust enrichment pursuant to Rule 12(b)(6).	
14	DATED: By: Hon. Phyllis J. Hamilton	
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28	[PROPOSED] ORDER GRANTING MOTION TO	
	SVI-62448v1 - 2 - DISMISS Case No. 07-CV-1658 PJH (EDL)	