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17 Attorneys for Defendants  
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 18 TOMORROWNOW, INC.

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

22 ORACLE USA, INC., *et al.*,  
 23 Plaintiffs,  
 24 v.  
 25 SAP AG, *et al.*,  
 26 Defendants.

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

**DEFENDANTS' ADMINISTRATIVE  
 MOTION TO PERMIT  
 DEFENDANTS TO FILE UNDER  
 SEAL PLAINTIFFS' DOCUMENTS  
 SUPPORTING DEFENDANTS'  
 MOTION TO DISMISS**

1 Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiffs Oracle USA, Inc., Oracle  
2 International Corporation, Oracle Systems Corporation, Oracle EMEA Limited, and J.D. Edwards  
3 Europe Limited and Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc.  
4 (collectively, the “Parties”) request that the Court order the Clerk of the Court to file under seal  
5 Exhibits 1-4 to the Declaration of Tharan Gregory Lanier in support of Defendants’ FRCP  
6 12(b)(1) and 12(b)(6) Motion to Dismiss Plaintiffs’ Claims for Copyright Infringement,  
7 Interference with Prospective Economic Advantage, Breach of Contract, Unfair Competition, An  
8 Accounting, and Unjust Enrichment, lodged with the Court on October 15, 2008.

9 The requested relief is necessary and narrowly tailored to protect the alleged  
10 confidentiality of the content of Plaintiffs’ documents put at issue by the Motion. This request is  
11 supported by the Stipulation and Declaration of Tharan Gregory Lanier in support of Defendants’  
12 Administrative Motion to File Under Seal attached.

13 Pursuant to Local Rule 79-5, a proposed order and stipulation accompanies this request to  
14 file Exhibits 1-4 in support of Defendants’ Motion to Dismiss under seal.

15 DATED: October 15, 2008

JONES DAY

17 By: /s/ Tharan Gregory Lanier  
18 Tharan Gregory Lanier

19 Attorneys for Defendants  
20 SAP AG, SAP AMERICA, INC., and  
21 TOMORROWNOW, INC.