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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19 ORACLE USA, INC., *et al.*,

20 Plaintiffs,

21 v.

22 SAP AG, *et al.*,

23 Defendants.
 24

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

**[PROPOSED] ORDER GRANTING
 PLAINTIFFS' MOTION TO COMPEL
 PRODUCTION OF DOCUMENTS,
 ANSWERS TO INTERROGATORIES,
 AND RULE 30(b)(6) TESTIMONY
 RELATED TO HYPERION, RETEK,
 AND EBS PRODUCTS**

1 The motion of Plaintiffs Oracle USA, Inc., Oracle International Corporation, and
2 Oracle EMEA Limited (collectively, “Oracle”) to compel production of documents, answers to
3 interrogatories, and Fed. R. Civ. P. 30(b)(6) deposition testimony by Defendants TomorrowNow,
4 Inc., SAP AG, and SAP America, Inc. (collectively, “Defendants,” and with Oracle, the
5 “Parties”) came to be heard on the 10th day of February, 2009, before this Court. All Parties
6 received notice and an opportunity to be heard. After considering the pleadings and memoranda
7 submitted by the Parties and all supporting papers, and having heard the arguments of counsel,
8 and good cause appearing therefore, IT IS HEREBY ORDERED:

9 1. Oracle’s motion to compel responses to interrogatories is GRANTED.
10 Defendants shall serve supplemental responses to Oracle’s Third Set of Interrogatories to
11 Defendant TomorrowNow, Inc. and Second Set of Interrogatories to Defendants SAP America
12 and SAP AG (Interrogatory Nos. 2, 4, and 13) within 10 days of the date of this Order.

13 2. Oracle’s motion to compel production of documents is GRANTED.
14 Defendants shall serve supplemental responses to Oracle’s Second Set of Requests for
15 Production of Documents to Defendants, Nos. 2, 5, 9, 12, 18-19, 24-26, 29-31, 34, and 42-43,
16 within 5 court days of the date of this Order, and shall produce documents responsive to these
17 document requests to Oracle’s counsel’s office within 30 days of the date of this Order.

18 3. Oracle’s motion to compel Fed. R. Civ. P. 30(b)(6) testimony is
19 GRANTED. Within 7 days of the date of this Order, Defendants shall each designate and within
20 35 days make available for deposition pursuant to Fed. R. Civ. P. 30(b)(6), one or more persons
21 who consent to testify on their behalf regarding all topics listed in Oracle’s Notices of Deposition
22 Pursuant to Fed. R. Civ. P. 30(b)(6) Regarding EBS, Retek, and Hyperion.

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24 DATED: _____, 2009

25 Hon. Elizabeth D. Laporte
26 United States Magistrate Judge
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