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 SAP AG, SAP AMERICA, INC., and  
 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)

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS' ADMINISTRATIVE  
 MOTION TO FILE MOTION TO  
 COMPEL AND DECLARATIONS  
 AND EXHIBITS IN SUPPORT  
 THEREOF, UNDER SEAL**

1 Having considered Defendants' Administrative Motion to File Motion to Compel and  
2 Declarations and Exhibits in Support Thereof, Under Seal, supporting Declaration of Elaine  
3 Wallace filed in support thereof, Defendants' Motion to Compel Discovery Concerning Third  
4 Party Support Provided by Oracle's Partners ("Motion to Compel"), supporting Declaration of  
5 Jason McDonell ("McDonell Declaration") filed in support thereof, Exhibits 18 and 19 to the  
6 McDonell Declaration in support of Defendants' Motion to Compel, and Stipulation to Permit  
7 Defendants to File Under Seal, that were lodged with the Court on January 16, 2009:

8 IT IS HEREBY ORDERED THAT: Defendants' motion is GRANTED. The Clerk of the  
9 Court shall file under seal Exhibits 18 and 19 to the McDonell Declaration in Support of  
10 Defendants' Motion to Compel and portions of the Motion to Compel and McDonell Declaration  
11 that reference Exhibits 18 and 19.

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13 DATED: January 16, 2009  
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By: \_\_\_\_\_  
Hon. 