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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.

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

**STIPULATION [AND PROPOSED  
 ORDER] REGARDING EXPERT  
 DISCOVERY**



1 communications and related documents generated in conjunction with this litigation, which the  
2 parties have agreed are not discoverable pursuant to paragraphs a, b, or c above, shall not later be  
3 discoverable in any future litigation that may arise between the parties.

4  
5 Dated: February 11, 2009

JONES DAY

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By: /s/ Jason McDonell

Jason McDonell

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Counsel for Defendants  
SAP AG, SAP AMERICA, INC., and  
TOMORROWNOW, INC.

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12 In accordance with General Order No. 45, Rule X, the above signatory attests that  
13 concurrence in the filing of this document has been obtained from the signatory below.

14

DATED: February 11, 2009

BINGHAM McCUTCHEN LLP

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16

By: /s/ Zachary J. Alinder

Zachary J. Alinder

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Attorneys for Plaintiffs  
ORACLE USA, INC., ORACLE  
INTERNATIONAL CORPORATION, and  
ORACLE EMEA LIMITED

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22 **SO ORDERED.**

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Dated: \_\_\_\_\_, 2009

By: \_\_\_\_\_

The Honorable Elizabeth D. Laporte  
United States District Magistrate Judge

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