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17 Attorneys for Defendants
 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 DENYING
 PLAINTIFFS' MOTION TO
 COMPEL**

DISCOVERY MATTER

1 Oracle filed a Motion to Compel Production of Documents Related to Damages Model
2 and Interrogatory Responses Related to Use of Plaintiffs' Intellectual Property. The relief sought
3 in Oracle's Motion is as follows:

4 1. An Order compelling Defendants to produce certain documents responsive to
5 Requests for Production 21-23 and 27 from Oracle's Second Set of Requests for Production of
6 Documents and subpart (1) of Oracle's First Targeted Search Request; and

7 2. An Order compelling Defendant TomorrowNow, Inc. to provide supplemental
8 responses to Interrogatory 13 from Oracle Corporation's First Set of Interrogatories and
9 Interrogatory 14 from Oracle USA, Inc.'s Second Set of Interrogatories.

10
11 The Court, having considered all of the pleadings and supporting papers submitted by the
12 parties, and having heard the arguments of counsel, ORDERS as follows:

13 1. Number 1 above is MOOT by agreement of the parties, and is therefore DENIED.

14 2. Number 2 above is DENIED, as Defendant TomorrowNow, Inc. has complied
15 with its obligations under Federal Rules of Civil Procedure 33 and 26.

16
17 IT IS SO ORDERED.

18
19 Dated: _____

20 _____
21 ELIZABETH D. LAPORTE
22 United States Magistrate Judge