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 18 Oracle USA, Inc., Oracle International Corp.,  
 19 and Oracle EMEA Ltd..

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

20 ORACLE USA, INC., a Colorado corporation,  
 21 ORACLE INTERNATIONAL CORPORATION,  
 22 a California corporation, and ORACLE EMEA  
 23 LIMITED, an Irish private limited company,

24 Plaintiffs,

25 v.

26 SAP AG, a German corporation, SAP  
 27 AMERICA, INC., a Delaware corporation,  
 28 TOMORROWNOW, INC., a Texas corporation,  
 and DOES 1-50, inclusive,

Defendants.

CASE NO. 07-CV-1658 PJH (EDL)

**[PROPOSED] ORDER GRANTING  
 ORACLE LEAVE TO FILE  
 ORACLE'S FOURTH AMENDED  
 COMPLAINT**

1 Pending before this Court is Oracle’s Motion to Amend Complaint (“Motion”).  
2 Through the Motion, Plaintiffs Oracle USA, Inc., Oracle International Corporation, and Oracle  
3 EMEA Limited (collectively, “Oracle”), request an Order granting Oracle leave to file Oracle’s  
4 Fourth Amended Complaint for Damages and Injunctive Relief in the form attached as Exhibit A  
5 to the Motion.

6 Having considered the Motion, and pursuant to Federal Rule of Civil Procedure  
7 15(a)(2):

8 IT IS HEREBY SO ORDERED THAT Oracle is granted leave to file its Fourth  
9 Amended Complaint for Damages and Injunctive Relief in the form attached as Exhibit A to the  
10 Motion. Oracle shall file the Fourth Amended Complaint within ten (10) days of entry of this  
11 Order.

12  
13 This Order moots, and the Court declines to decide, Oracle’s Alternative Motion  
14 to File Stipulated Amended Complaint, filed concurrently with the Motion.

15  
16 DATED: \_\_\_\_\_, 2009

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17 Hon. Phyllis J. Hamilton  
18 United States District Court Judge  
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