

1 Robert A. Mittelstaedt (SBN 060359)
 Jason McDonell (SBN 115084)
 2 Elaine Wallace (SBN 197882)
 JONES DAY
 3 555 California Street, 26th Floor
 San Francisco, CA 94104
 4 Telephone: (415) 626-3939
 Facsimile: (415) 875-5700
 5 ramittelstaedt@jonesday.com
 jmcdonell@jonesday.com
 6 ewallace@jonesday.com

7 Tharan Gregory Lanier (SBN 138784)
 Jane L. Froyd (SBN 220776)
 8 JONES DAY
 1755 Embarcadero Road
 9 Palo Alto, CA 94303
 Telephone: (650) 739-3939
 10 Facsimile: (650) 739-3900
 tglanier@jonesday.com
 11 jfroyd@jonesday.com

12 Scott W. Cowan (Admitted *Pro Hac Vice*)
 Joshua L. Fuchs (Admitted *Pro Hac Vice*)
 13 JONES DAY
 717 Texas, Suite 3300
 14 Houston, TX 77002
 Telephone: (832) 239-3939
 15 Facsimile: (832) 239-3600
 swcowan@jonesday.com
 16 jlfuchs@jonesday.com

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)

**DEFENDANTS' ADMINISTRATIVE
 MOTION TO PERMIT
 DEFENDANTS TO FILE UNDER
 SEAL PLAINTIFFS' DOCUMENTS
 SUPPORTING DEFENDANTS'
 OPPOSITION TO PLAINTIFFS'
 MOTION TO AMEND**

1 Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiffs Oracle USA, Inc., Oracle
2 International Corporation and Oracle EMEA Limited (“Plaintiffs”) and Defendants SAP AG,
3 SAP America, Inc. and TomorrowNow, Inc. (“Defendants,” and together with Plaintiffs, the
4 “Parties”) request that the Court order the Clerk of the Court to file under seal, at Plaintiffs’
5 request, portions of Defendants’ Opposition to Plaintiffs’ Motion to Amend (“Opposition”),
6 portions of the Declaration of Joshua L. Fuchs in Support of Plaintiffs’ Motion to Amend (“Fuchs
7 Declaration”) and Exhibits C-1 and K-1 to the Fuchs Declaration, which Defendants lodged with
8 the Court on October 15, 2008.

9 The requested relief sought is necessary and narrowly tailored to protect the alleged
10 confidentiality of the content of Plaintiffs’ documents put at issue by the Opposition. This
11 request is supported by the Stipulation and Declaration of Tharan Gregory Lanier in support of
12 Defendants’ Administrative Motion to File Under Seal attached.

13 Pursuant to Local Rule 79-5, a proposed order and stipulation accompanies this request to
14 file portions of the Opposition, portions of the Fuchs Declaration, and Exhibits C-1 and K-1 to the
15 Fuchs Declaration under seal.

16
17 DATED: July 29, 2009

JONES DAY

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19 By: /s/ Tharan Gregory Lanier
Tharan Gregory Lanier

20 Attorneys for Defendants
21 SAP AG, SAP AMERICA, INC., and
22 TOMORROWNOW, INC.