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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)

PROOF OF SERVICE

1 I, Shirley Nakano-McSwain, declare:

2 I am a citizen of the United States and employed in Santa Clara County, California. I am
3 over the age of eighteen years and not a party to the within-entitled action. My business address
4 is 1755 Embarcadero Road, Palo Alto, California 94303. On August 26, 2009, I served a copy of
5 the attached document(s):

6 **DEFENDANTS' ANSWER AND AFFIRMATIVE DEFENSES**
7 **TO FOURTH AMENDED COMPLAINT [DOCUMENT**
8 **SUBMITTED UNDER SEAL]**

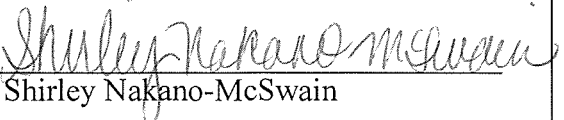
9 **DEFENDANTS' NOTICE OF MOTION AND MOTION FOR**
10 **PARTIAL SUMMARY JUDGMENT REGARDING**
11 **PLAINTIFFS' HYPOTHETICAL LICENSE DAMAGES**
12 **CLAIM [DOCUMENT SUBMITTED UNDER SEAL]**

13 by placing the document(s) listed above in a sealed Federal Express envelope and
14 affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal
15 Express agent for delivery.

16 by transmitting via e-mail or electronic transmission the document(s) listed above
17 to the person(s) at the e-mail address(es) set forth below on August 26, 2009.

18 Donn P. Pickett
19 Geoffrey M. Howard
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Executed on August 26, 2009, at Palo Alto, California.

By: 
Shirley Nakano-McSwain