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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
 SAN FRANCISCO DIVISION

21 ORACLE USA, INC., et al.,
 22 Plaintiffs,
 23 v.
 24 SAP AG, et al.,
 25 Defendants.

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

**DECLARATION OF THARAN
 GREGORY LANIER ISO STIPULATED
 ADMINISTRATIVE MOTION TO
 REMOVE INCORRECTLY FILED
 DOCUMENTS**

1 I, THARAN GREGORY LANIER, declare:

2 1. I am a partner in the law firm of Jones Day, 1755 Embarcadero Road, Palo Alto,
3 California 94303, and counsel of record for Defendants SAP AG, SAP America, Inc. and
4 TomorrowNow, Inc. (collectively, "Defendants") in the above-captioned action. I am a member
5 in good standing of the state bar of California and admitted to practice before this Court. I make
6 this declaration based on personal knowledge and, if called upon to do so, could testify
7 competently thereto.

8 2. On July 29, 2009, Defendants filed Docket No. 380, Defendants' Opposition to
9 Plaintiffs' Motion to Amend Complaint, and Docket No. 382, Declaration of Joshua L. Fuchs in
10 Support of Defendants' Opposition to Plaintiffs' Motion to Amend Complaint (the "Documents").
11 The Documents contain information designated by Plaintiffs as Confidential Information pursuant
12 to the protective order entered in the case. For this reason, Defendants lodged the Documents
13 with the Court under seal and e-filed copies of the Documents in redacted form. Defendants also
14 submitted a motion to file the Documents under seal. *See* D.I. 386. The basis for this motion is
15 that the information sought to be sealed has been designated Confidential Information by
16 Plaintiffs under the protective order, and Plaintiffs have requested that it not be publicly filed.

17 3. After filing the Documents, it came to Defendants' attention that there were errors
18 in the redaction process. Upon this discovery, Defendants' counsel contacted the ECF Help Desk
19 by e-mail and telephone to request that the Documents be placed under temporary lock as soon as
20 possible. The ECF Help Desk instructed Defendants to e-file the corrected versions of the
21 Documents, as well as the unaffected exhibits that were linked to the Documents. Defendants'
22 counsel also promptly brought this issue to Plaintiffs' counsel's attention.

23 I declare under penalty of perjury under the laws of the United States and the State of
24 California that the foregoing is true and correct. Executed this 31st day of August, 2009 in Palo
25 Alto, California.

26 /s/ Tharan Gregory Lanier

27 Tharan Gregory Lanier

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