

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

E-filing

ORACLE CORPORATION, a Delaware corporation,
ORACLE USA, INC., a Colorado corporation, and ORACLE
INTERNATIONAL CORPORATION, a California
corporation,

SUMMONS IN A CIVIL CASE
CASE NUMBER: **07 1658**

V.

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

EMC

TO: (Name and address of defendant)

SAP AMERICA, INC.
c/o CT Corporation
100 Pine Street, Suite 325
Harrisburg, PA 17101

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

BINGHAM McCUTCHEN LLP
Christopher B. Hockett (SBN 121539)
Geoffrey M. Howard (SBN 157468)
Zachary J. Alinder (SBN 209009)
Bree Hann (SBN 215695)
Three Embarcadero Center
San Francisco, CA 94111-4067

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MAR 22 2007

Richard W. Wieking

CLERK

DATE _____



(BY) DEPUTY CLERK

ANNA SPRINKLES

United States District Court for the Northern District of California

CASE NO.: C07 1658

AFFIDAVIT OF SERVICE

Oracle Corporation, et al.

vs.

SAP AG, et al.

Commonwealth of Pennsylvania
County of Dauphin ss.

I, John Shinkowsky, a competent adult, being duly sworn according to law, depose and say that at 3:39 PM on 03/22/2007, I served SAP America, Inc. at CT Corporation, 100 Pine Street, Suite 325, Harrisburg, PA 17101 in the manner described below:

- Defendant(s) personally served.
Adult family member with whom said Defendant(s) reside(s). Relationship is
Adult in charge of Defendant(s) residence who refused to give name and/or relationship.
Manager/Clerk of place of lodging in which Defendant(s) reside(s).
Agent or person in charge of Defendant's office or usual place of business.
Other: Served Karen Jones, Fulfillment Specialist.

a true and correct copy of Summons in a Civil Case, Complaint, Order Setting Initial Case Management Conference and ADR Deadlines, Standing Order for Civil Practice in Cases Assigned for all Purposes to Magistrate Judge Edward W. Chen, Standing Order for all Judges of the Northern District of California, Plaintiff Oracle's Disclosure Statement and Certification of Interested Entities or Persons Pursuant to Fed. R. Civil Procedure 7.1 and Civil Local Rule 3-16, ECF Registration Information Handout, Notice of Assignment of Case to a United States Magistrate Judge for Trial, Consent to Proceed Before a United States Magistrate Judge, Declination to Proceed Before a Magistrate Judge and Request for Reassignment to a United States District Judge, Welcome to the U.S. District Court San Francisco issued in the above captioned matter.

Description:

Sex: Female - Age: 50 - Skin: White - Hair: Gray - Height: 5' 07" - Weight: 145

Sworn to and subscribed before me on this 22nd day of March, 2007

[Signature]
NOTARY PUBLIC

X [Signature]
John Shinkowsky
Worldwide Network, Inc. - San Francisco
520 Townsend Street, 1st Floor
San Francisco, CA 94103
(415) 503-0900

Atty File#: 674119 - Our File# 776

