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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-01658 PJH (EDL)

**PROOF OF SERVICE**

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1 **PROOF OF SERVICE**

2 I, Ruth Chavez, declare:

3 I am a citizen of the United States and employed in San Francisco County, California. I  
4 am over the age of eighteen years and not a party to the within-entitled action. My business  
5 address is 555 California Street, 26th Floor, San Francisco, California 94104. On December 11,  
6 2009, I served a copy of the within document(s):

7 **DEFENDANTS' MOTION TO COMPEL – SUBMITTED  
8 UNDER SEAL; and**

9 **DECLARATION OF SCOTT W. COWAN IN SUPPORT OF  
10 DEFENDANTS' MOTION TO COMPEL – SUBMITTED  
11 UNDER SEAL**

- 11  by transmitting via facsimile the document(s) listed above to the fax number(s) set  
12 forth below on this date before 5:00 p.m.
- 13  by placing the document(s) listed above in a sealed envelope with postage thereon  
14 fully prepaid, in the United States mail at San Francisco, California addressed as  
15 set forth below.
- 16  by placing the document(s) listed above in a sealed \_\_\_\_\_ envelope and  
17 affixing a pre-paid air bill, and causing the envelope to be delivered to a  
18 agent for delivery.
- 19  by personally delivering the document(s) listed above to the person(s) at the  
20 address(es) set forth below.
- 21  by transmitting via e-mail or electronic transmission the document(s) listed above  
22 to the person(s) at the e-mail address(es) set forth below.

23 Geoffrey M. Howard  
24 Zachary J. Alinder  
25 Bree Hann  
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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 11, 2009, at San Francisco, California.

  
Ruth Chavez