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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND 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)  
**STIPULATION AND [PROPOSED]  
 ORDER TO EXTEND TIME FOR  
 EXPERT DISCOVERY**

STIPULATION AND [PROPOSED] ORDER TO  
 EXTEND TIME FOR EXPERT DISCOVERY  
 Case No. 07-CV-1658 PJH (EDL)

1 Pursuant to Civil Local Rule 6-2, and in accordance with Local Rule 7-12, Plaintiffs  
2 Oracle USA, Inc., Oracle International Corporation, Oracle EMEA Ltd., and Siebel Systems, Inc.  
3 (“Oracle”) and Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. (“Defendants,”  
4 and together with “Oracle,” “the Parties”) hereby submit this agreed upon stipulation to extend  
5 time for expert discovery. The June 11, 2009 Stipulated Revised Case Management and Pretrial  
6 Order (“June 11, 2009 Order”) provides that the deadline to serve rebuttal expert reports is  
7 February 26, 2010. *See* D.I. 325. The Parties jointly request that the deadline to serve rebuttal  
8 expert reports be extended to March 26, 2010. Additionally, the June 11, 2009 Order sets an  
9 expert discovery cut-off date of April 23, 2010. *See* D.I. 325. The Parties jointly request that  
10 expert discovery cut-off be extended to June 18, 2010.

11 This requested extension does not impact any other portion of the current case schedule,  
12 including any dates involving any action by the Court or the current trial date of November 1,  
13 2010. The accompanying Declaration of Scott Cowan sets forth the reasons for the requested  
14 extension of time. The only purpose of this requested extension is to extend the two deadlines  
15 noted above and thus this requested extension shall not in any way affect any other rights or  
16 obligations of the Parties.

17 DATED: December 21, 2009

JONES DAY

18  
19 By:                   /s/ Scott W. Cowan                    
20 Scott W. Cowan.

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

23 In accordance with General Order No. 45, Rule X, the above signatory attests that  
24 concurrence in the filing of this document has been obtained from the signatory below.  
25  
26  
27  
28

1 DATED: December 21, 2009

BINGHAM McCUTCHEN LLP

2  
3 By: : /s/ Geoffrey M. Howard

4 Geoffrey M. Howard

5 Attorneys for Plaintiffs  
6 Oracle USA, Inc., Oracle International  
7 Corporation, Oracle EMEA Ltd., and Siebel  
8 Systems, Inc.

9  
10 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

11 DATED: \_\_\_\_\_

12 By: \_\_\_\_\_

13 Hon. Phyllis J. Hamilton