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SAP AG, SAP AMERICA, INC., and
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ORACLE USA, INC., et al.,

Plaintiffs,

v.

SAP AG, et al.,

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 April 14, 2010, I served a copy of
5 the attached document(s):

6 **REPLY IN SUPPORT OF DEFENDANTS' MOTION FOR PARTIAL**
7 **SUMMARY JUDGMENT [SUBMITTED UNDER SEAL]**

8 **EXHIBIT 5 TO THE DECLARATION OF THARAN GREGORY LANIER IN**
9 **SUPPORT OF REPLY IN SUPPORT OF DEFENDANTS' MOTION FOR**
10 **PARTIAL SUMMARY JUDGMENT [SUBMITTED UNDER SEAL]**

- 11 ☒ by placing the document(s) listed above in a sealed Federal Express envelope and
12 affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal
13 Express agent for delivery.
- 14 ☒ by transmitting via e-mail or electronic transmission the document(s) listed above
15 to the person(s) at the e-mail address(es) set forth below.

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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 April 14, 2010, at Palo Alto, California.

By: /s/ Shirley Nakano-McSwain
Shirley Nakano-McSwain