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23 UNITED STATES DISTRICT COURT
 24 NORTHERN DISTRICT OF CALIFORNIA
 25 OAKLAND DIVISION

25 ORACLE USA, INC., *et al.*,
 26 Plaintiffs,
 27 v.
 27 SAP AG, *et al.*,
 28 Defendants.

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CASE NO. 07-CV-01658 PJH (EDL)

**JOINT STIPULATION AND [PROPOSED]
 ORDER WITHDRAWING DEFENDANTS'
 OBJECTIONS TO THE DECLARATION
 OF BRADY MICKELSEN**

Case No. 07-CV-01658 PJH (EDL)

1 Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle EMEA
2 Limited, and Siebel Systems, Inc. (collectively, "Plaintiffs") and Defendants SAP AG, SAP
3 America, Inc., and TomorrowNow, Inc. (collectively, "Defendants," and all together with
4 Plaintiffs, the "Parties"), jointly file this Stipulation and [Proposed] Order Withdrawing
5 Defendants' Objections to the Declaration of Brady Mickelsen.

6 WHEREAS, on March 3, 2010, Plaintiffs filed a Motion for Partial Summary
7 Judgment (Dkt. No. 649), including the Declaration of Brady Mickelsen (Dkt. No. 653) in
8 support thereof.

9 WHEREAS, on March 31, 2010, Defendants filed Objections to Evidence Filed in
10 Support of Plaintiffs' Motion for Partial Summary Judgment ("Objections") (Dkt. No. 672),
11 including objections to certain portions of the Declaration of Brady Mickelsen. Objections at pp.
12 4-5.

13 WHEREAS, the Parties have resolved Defendants' objections to the Declaration
14 of Brady Mickelsen, and Defendants have agreed to withdraw those objections.

15 ACCORDINGLY, the Parties, through their respective attorneys of record,
16 stipulate and ask the Court to order as follows:

17 Defendants' objections to the Declaration of Brady Mickelson filed in support of
18 Plaintiffs' Motion for Partial Summary Judgment, as set forth at pages 4-5 of Defendants'
19 Objections, are hereby withdrawn and moot.

20
21 DATED: June 24, 2010

BINGHAM McCUTCHEN LLP

22 By: /s/ Geoffrey M. Howard
23 Geoffrey M. Howard
24 Attorneys for Plaintiffs
25 Oracle USA, Inc., Oracle International
26 Corporation, Oracle EMEA Limited, and
27 Siebel Systems, Inc.
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