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 18 TOMORROWNOW, INC.

19 UNITED STATES DISTRICT COURT  
 20 NORTHERN DISTRICT OF CALIFORNIA  
 21 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)

**DEFENDANTS' ADMINISTRATIVE  
 MOTION TO PERMIT  
 DEFENDANTS TO FILE UNDER  
 SEAL PLAINTIFFS' DOCUMENTS  
 IN SUPPORT OF DEFENDANTS'  
 DAUBERT MOTIONS AND  
 OPPOSITIONS TO PLAINTIFFS'  
 MOTIONS IN LIMINE**

1 Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiffs Oracle USA, Inc., Oracle  
2 International Corporation, Oracle EMEA Limited, and Siebel Systems, Inc. (“Plaintiffs”) and  
3 Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. (“Defendants,” and together  
4 with Plaintiffs, the “Parties”) request that the Court order the Clerk of the Court to file under seal,  
5 at Plaintiffs’ request: (1) portions of Defendants’ Motion to Exclude Expert Testimony of Paul K.  
6 Meyer, (2) portions of Exhibits 1, 3, 5, 6, and 20 to the Declaration of Elaine Wallace in Support  
7 of Defendants’ Motion to Exclude Expert Testimony of Paul K. Meyer (“Wallace Decl.”), (3)  
8 portions of Defendants’ Oppositions to Plaintiffs’ Motions in Limine, and (4) portions of Exhibits  
9 13, 21, 22, 23, and 31 to the Declaration of Tharan Gregory Lanier in Support of Defendants’  
10 Oppositions to Plaintiffs’ Motions in Limine (“Lanier Decl.”), which Defendants will lodge with  
11 the Court on August 20, 2010.

12 The requested relief sought is necessary and narrowly tailored to protect the alleged  
13 confidentiality of the content of Plaintiffs’ documents put at issue by Defendants’ Motion to  
14 Exclude Expert Testimony of Paul K. Meyer and Defendants’ Oppositions to Plaintiffs’ Motions  
15 in Limine. This request is supported by the accompanying Stipulation and Declaration of Tharan  
16 Gregory Lanier in support of Defendants’ Administrative Motion to File Under Seal.

17 Pursuant to Local Rule 79-5, a proposed order and stipulation accompanies this request to  
18 file under seal (1) portions of Defendants’ Motion to Exclude Expert Testimony of Paul K.  
19 Meyer, (2) portions of Exhibits 1, 3, 5, 6, and 20 to the Wallace Decl., (3) portions of Defendants’  
20 Oppositions to Plaintiffs’ Motions in Limine, and (4) portions of Exhibits 13, 21, 22, 23, and 31  
21 to the Lanier Decl.

22 DATED: August 19, 2010

JONES DAY

23  
24 By: /s/ Tharan Gregory Lanier  
25 Tharan Gregory Lanier

26 Attorneys for Defendants  
27 SAP AG, SAP AMERICA, INC., and  
28 TOMORROWNOW, INC.