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 18 TOMORROWNOW, INC.

19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION

22 ORACLE CORPORATION, *et al.*,
 23 Plaintiffs,
 24 v.
 25 SAP AG, *et al.*,
 26 Defendants.

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Case No. 07-CV-1658 PJH (EDL)

**STIPULATION AND ~~[PROPOSED]~~
 ORDER RE EXPERT DISCOVERY
 AND DISPOSITIVE MOTIONS
 BRIEFING SCHEDULE**

1 Pursuant to the Court's April 24, 2008 Order, Plaintiffs Oracle Corporation, Oracle USA,
2 Inc., and Oracle International Corporation and Defendants SAP AG, SAP America, Inc., and
3 TomorrowNow, Inc. (collectively, the "Parties") hereby submit this Stipulation and [Proposed]
4 Order Re Expert Discovery and Dispositive Motions Briefing Schedule.

5 The Parties agree to the following expert discovery and dispositive motions briefing
6 schedule (placed in context with the other dates established by the Court on April 24, 2008):
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EVENT	AGREED DATES
Deadline for party with burden to designate experts	06/01/2009
Non-expert discovery cut-off	06/19/2009
Deadline for party with burden to serve expert reports and back-up (experts who provide reports are available immediately for deposition)	06/22/2009
Deadline to designate rebuttal experts	07/31/2009
Deadline to serve rebuttal expert reports and back-up (experts who provide rebuttal reports are available immediately for deposition)	08/21/2009
Expert discovery cut-off	10/09/2009
Deadline to file opening briefs for dispositive motions	09/09/2009
Deadline to file opposition briefs for dispositive motions	09/30/2009
Deadline to file reply briefs for dispositive motions	10/07/2009
Dispositive motions hearing	10/21/2009
Pretrial conference	01/14/2010
Trial	02/08/2010

1 **SO STIPULATED.**

2 DATED: May 1, 2008

JONES DAY

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By: /s/ Jason McDonell
Jason McDonell

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

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In accordance with General Order No. 45, Rule X, the above signatory attests that
9 concurrence in the filing of this document has been obtained from the signatory below.

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DATED: May 1, 2008

BINGHAM McCUTCHEN LLP

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

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Attorneys for Plaintiffs
ORACLE CORPORATION, ORACLE
INTERNATIONAL CORPORATION, and
ORACLE USA, INC.

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SO ORDERED:

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DATED: May 2, 2008

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