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17 Attorneys for Defendants
 SAP AG, SAP AMERICA, INC., and
 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)

**REPLY DECLARATION OF ELAINE
 WALLACE IN SUPPORT OF
 DEFENDANTS' MOTION TO
 EXCLUDE EXPERT TESTIMONY OF
 PAUL K. MEYER**

Date: September 30, 2010
 Time: 2:30 p.m.
 Courtroom: 3, 3rd Floor
 Judge: Hon. Phyllis J. Hamilton

1 I, ELAINE WALLACE, declare as follows:

2 I am an attorney in the law firm of Jones Day, 555 California St., 26th Floor, San
3 Francisco, California 94104, and counsel of record for Defendants SAP AG, SAP America, Inc.
4 (together, "SAP"), and TomorrowNow, Inc. ("TN") (collectively, "Defendants") in the above-
5 captioned matter. I am a member in good standing of the state bar of California and admitted to
6 practice before this Court. I make this declaration based on personal knowledge and, if called
7 upon to do so, could testify competently thereto.

8 Defendants attach the following unpublished cases for the convenience of the court in
9 review of Defendants' Reply In Support of Defendants' Motion to Exclude Expert Testimony of
10 Paul K. Meyer.

11 1. Attached as **Exhibit 1** is a true and correct copy of *Multimatic, Inc. v. Faurecia*
12 *Interior Sys. USA, Inc.*, Nos. 08-1332, 08-1420, 2009 U.S. App. LEXIS 28156 (6th Cir. Dec. 22,
13 2009).

14 2. Attached as **Exhibit 2** is a true and correct copy of *Nilssen v. Motorola, Inc.*, No.
15 93 C 6333, 1998 U.S. Dist. LEXIS 12882 (N.D. Ill. Aug. 14, 1998).

16 3. Attached as **Exhibit 3** is a true and correct copy of from *Pierson v. Ford Motor*
17 *Co.*, No. C-06-6503, 2008 U.S. Dist. LEXIS 111791 (N.D. Cal. Aug. 1, 2008).

18 4. Attached as **Exhibit 4** is a true and correct copy of *Sunstar, Inc. v. Alberto-Culver,*
19 *Inc.*, No. 01-C-0736, 01-C-5825, 2004 WL 1899927 (N.D. Ill. Aug. 23, 2004).

20 5. Attached as **Exhibit 5** is a true and correct copy of *Transclean Corp. v*
21 *Bridgewood Servs., Inc.*, No. 97-2298, 2001 U.S. Dist. LEXIS 24383 (D. Minn. Jan. 8, 2001).

22 I declare under penalty of perjury under the laws of the United States and the State of
23 California that the foregoing is true and correct. Executed this 16th day of September, 2010 in
24 San Francisco, California.

25 /s/ Elaine Wallace

26 Elaine Wallace

27 SFI-650243v1

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