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22 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

23 ORACLE USA, INC., *et al.*,

24 Plaintiffs,

25 v.

26 SAP AG, *et al.*,

27 Defendants.

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

**DECLARATION OF ZACHARY J. ALINDER IN
 SUPPORT OF PLAINTIFFS' ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL INFORMATION
 SUPPORTING PLAINTIFFS' OPPOSITION TO
 DEFENDANTS' MOTION TO EXCLUDE EXPERT
 TESTIMONY OF PAUL K. MEYER**

FILED PURSUANT TO DKT. NO. 915

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

1 I, Zachary J. Alinder, declare:

2 1. I am a partner in the law firm of Bingham McCutchen LLP and counsel of record
3 for Plaintiffs Oracle USA, Inc., Oracle International Corporation and Siebel Systems, Inc.
4 (collectively, "Plaintiffs") in the above-captioned action. I am a member in good standing of the
5 state bar of California and admitted to practice before this Court. I make this declaration based
6 on personal knowledge and, if called upon to do so, could testify competently thereto.

7 2. Pursuant to Civil Local Rule 79-5 and the stipulated Protective Order entered on
8 June 6, 2007 in this case, I make this Declaration in support of Plaintiffs' Administrative Motion
9 to File Under Seal Information Supporting Plaintiffs' Opposition to Defendants' Motion to
10 Exclude Expert Testimony of Paul K. Meyer.

11 3. Plaintiffs file this motion at Defendants' request. The requested relief is
12 necessary and narrowly tailored to protect the alleged confidentiality of the materials put at issue
13 by Plaintiffs' Opposition to Defendants' Motion to Exclude Expert Testimony of Paul K. Meyer
14 until such time as Defendants may submit a declaration in accordance with Civil Local Rule 79-
15 5(d), and the Court makes a final ruling as to confidentiality of the relevant subject matter.
16 Specifically, the following portions of documents filed and lodged with the Court contain
17 information designated by Defendants as "Highly Confidential – Attorneys' Eyes Only":

- 18 • Portions of Exhibit A to the Declaration of Nitin Jindal in Support of
19 Plaintiffs' Opposition to Defendants' Motion to Exclude Expert
20 Testimony of Paul K. Meyer ("Jindal Declaration") at ¶¶ 125, 126, 139,
21 149, 227 and 445; and
- 22 • Portions of Exhibit E to the Jindal Declaration.

23 I declare under the laws of the United States and the State of California that the
24 foregoing is true and correct and that this Declaration was executed on September 9, 2010, in
25 San Francisco, California.

26 /s/ Zachary J. Alinder
27 Zachary J. Alinder