

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**CIVIL MINUTES**

**Date: November 2, 2010** (Time: 4 hour 27 minutes)

**JUDGE: Phyllis J. Hamilton**

**Case No: C-07-1658 PJH**

**Case Name: Oracle Corporation, et al. v. SAP AG, et al.**

**Attorney(s) for Plaintiff: Geoffrey Howard; Donn Pickett; Zachary Alinder;  
Steven Holtzman; Holly House**

**Attorney(s) for Defendant: Tharan Gregory Lanier; Jacqueline Lee;  
Robert Mittelstaedt**

**Deputy Clerk: Nichole Heuerman**

**Court Reporter: Raynee Mercado and  
Diane Skillman**

**PROCEEDINGS**

Jury Trial (day 1)-Held. See attached exhibit and witness list.

**CASE CONTINUED TO: November 4, 2010 at 8:30 a.m. for Jury Trial (day 2).**

**cc: chambers**

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NORTHERN DISTRICT OF CALIFORNIA

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Case Name: Oracle USA, et al. v. SAP AG, et al.

**EXHIBIT and WITNESS LIST**

<b>JUDGE</b> Phyllis J. Hamilton	<b>PLAINTIFF ATTORNEY:</b> Geoffrey Howard; Donn Pickett; Zachary Alinder; Steven Holtzman; Holly House	<b>DEFENSE ATTORNEY:</b> Tharan Gregory Lanier; Jacqueline Lee; Robert Mittelstaedt
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<b>JURY SELECTION: 11/1/10</b> <b>TRIAL DATE:</b>	<b>REPORTER(S):</b> <u>Raynee Mercado and Diane</u> <u>Skillman</u>	<b>CLERK:</b> Nichole Heuerman
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PLF NO.	DEF NO	DATE/TIME OFFERED	ID	EVI. REC	DESCRIPTION	BY
		<u>8:19 a.m.</u>			<u>the court is in session; the court discusses some preliminary issues in camera.</u>	
		<u>8:35 a.m.</u>			<u>the jury is brought in and the court reads the preliminary jury instructions</u>	
		<u>9:00 a.m.</u>			<u>opening statements by plaintiffs'</u>	
		<u>10:28 a.m.</u>			<u>the court takes a 15 minute break</u>	
		<u>10:47 a.m.</u>			<u>the court is back in session; opening statements by defendants'</u>	
		<u>11:44 a.m.</u>			<u>plaintiffs' call first witness Buffy Ransom</u>	
					<u>demonstrative 14 used in conjunction with this witness</u>	
<u>545-4</u>		<u>11/2/10</u>	<u>x</u>	<u>x</u>	<u>plaintiffs' exhibit 545-4-screen shot from video</u>	
		<u>12:03 p.m.</u>			<u>cross examination of Ms. Ransom</u>	
		<u>12:15 p.m.</u>			<u>re-direct examination of Ms. Ransom</u>	
		<u>12:16 p.m.</u>			<u>Ms. Ransom is excused; the jury takes a 15 minute break</u>	
		<u>12:16 p.m.</u>			<u>the court discusses issues regarding exhibits with the parties</u>	
		<u>12:18 p.m.</u>			<u>the court takes a break</u>	
		<u>12:36 p.m.</u>			<u>the court is back in session; plaintiffs' call second witness Edward Screven</u>	
					<u>demonstratives 1, 3, 5 and 6 used in conjunction with this witness</u>	
<u>2115-1</u>		<u>11/2/10</u>	<u>x</u>	<u>x</u>	<u>plaintiffs' exhibit 2115-1-photo of CD titled "Oracle Database 10g: Release 2"</u>	

<u>4813</u>		<u>11/2/10</u>	<u>x</u>	<u>x</u>	<u>plaintiffs' exhibit 4813-certificates of copyright registration</u>	
		<u>1:09 p.m.</u>			<u>Mr. Screven is excused</u>	
		<u>1:10 p.m.</u>			<u>plaintiffs' call third witness John Ritchie by video deposition</u>	
		<u>1:28 p.m.</u>			<u>the jury is release for the day</u>	
		<u>1:29 p.m.</u>			<u>plaintiffs' request for a curative instruction regarding defendants' opening statements is denied by the court as stated on the record.</u>	
		<u>1:35 p.m.</u>			<u>the court is adjourned for the day</u>	