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 23 NORTHERN DISTRICT OF CALIFORNIA
 24 OAKLAND DIVISION

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

25 Plaintiffs,

26 v.

26 SAP AG, *et al.*,

27 Defendants.

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

JOINT PROPOSED JURY
 INSTRUCTION REGARDING
 REDACTED MATERIALS

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From time to time, the Parties may offer into evidence documents that have been partially “redacted,” which means that certain contents of the document have been blacked or whited out and stamped “redacted.” Redactions are necessary for a wide variety of reasons, including that the redacted information is unrelated to the evidence in the case, that the Court has determined that the information is not admissible, or to protect as private the personal information of individuals or other companies not parties to this lawsuit. These are just examples. You may give the un-redacted information in any document whatever weight you choose, and you are not to consider any characterizations of the fact or existence of a redaction in any document, including by counsel.

DATED: November 10, 2010

BINGHAM McCUTCHEN LLP

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

DATED: November 10, 2010

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