

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

CIVIL MINUTES

Date: November 19, 2010 (Time: 3 hour 15 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; David Boies**

**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 10)-Held. See attached exhibit and witness list.

CASE CONTINUED TO: November 22, 2010 at 8:30 a.m. for Jury Trial (closing arguments).

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No: C-07-1658 PJH

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

EXHIBIT and WITNESS LIST

JUDGE Phyllis J. Hamilton	PLAINTIFF ATTORNEY: Geoffrey Howard; Donn Pickett; Zachary Alinder; Steven Holtzman; Holly House; David Boies	DEFENSE ATTORNEY: Tharan Gregory Lanier; Jacqueline Lee; Robert Mittelstaedt
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JURY SELECTION: 11/1/10 TRIAL DATE:	REPORTER(S): <u>Raynee Mercado and Diane Skillman</u>	CLERK: Nichole Heuerman
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PLF NO.	DEF NO	DATE/TIME OFFERED	ID	EVI. REC	DESCRIPTION	BY
					<u>Friday November 19, 2010</u>	
		<u>8:31 a.m.</u>			<u>the court is back in session</u>	
		<u>8:31 a.m.</u>			<u>plaintiffs' call third rebuttal witness Safra Catz</u>	
		<u>9:08 a.m.</u>			<u>cross examination of Ms. Catz</u>	
		<u>9:42 a.m.</u>			<u>re-direct examination of Ms. Catz</u>	
		<u>9:48 a.m.</u>			<u>Ms. Catz is excused</u>	
		<u>9:49 a.m.</u>			<u>plaintiffs' rest</u>	
		<u>9:52 a.m.</u>			<u>the jury is release for the day</u>	
		<u>9:53 a.m.</u>			<u>offer of proof is submitted by defendants'</u>	
		<u>9:54 a.m.</u>			<u>defendants' request to replace exhibit A-59 with A-59A is granted</u>	
	<u>A-59A</u>	<u>11/19/10</u>	<u>x</u>	<u>x</u>	<u>defendants' exhibit A-59A</u>	
		<u>9:55 a.m.</u>			<u>plaintiffs' move exhibit 970 which is admitted into evidence</u>	
<u>970</u>		<u>11/19/10</u>	<u>x</u>	<u>x</u>	<u>plaintiffs' exhibit 970</u>	
		<u>9:56 a.m.</u>			<u>plaintiffs' mark for identification demonstrative exhibits used in trial as plaintiffs' exhibits 4853, 4854, 4855, 4856, 4857, 4858, 4859, 4860, 4874, 4875, 4876, 4877, 4878, 4879, 4880</u>	
		<u>10:00 a.m.</u>			<u>the court takes a break</u>	

		<u>10:15 a.m.</u>			<u>the court is back in session; the court hears argument regarding jury instructions; if the parties are not able to agree on the last instruction in dispute they shall file proposed instruction by Sunday 11/21/10 at 3:00 p.m.</u>	
		<u>11:45 a.m.</u>			<u>the court hears argument on defendants' rule 50 motions- Denied in part, taken under submission in part pending jury verdict</u>	
		<u>12:02 p.m.</u>			<u>the parties shall be prepared on Monday to begin at 8:00 a.m. to handle any remaining issues before closing arguments start</u>	
		<u>12:02 p.m.</u>			<u>the court is adjourned for the day</u>	