

1 MARK D. FOWLER, Bar No. 124235  
[mark.fowler@dlapiper.com](mailto:mark.fowler@dlapiper.com)  
 2 CLAYTON THOMPSON (Admitted Pro Hac Vice)  
[clayton.thompson@dlapiper.com](mailto:clayton.thompson@dlapiper.com)  
 3 DAVID ALBERTI, Bar No. 220625  
[david.alberti@dlapiper.com](mailto:david.alberti@dlapiper.com)  
 4 CHRISTINE K. CORBETT, Bar No. 209128  
[christine.corbett@dlapiper.com](mailto:christine.corbett@dlapiper.com)  
 5 YAKOV M. ZOLOTOREV, Bar No. 224260  
[yakov.zolotorev@dlapiper.com](mailto:yakov.zolotorev@dlapiper.com)  
 6 CARRIE L. WILLIAMSON, Bar No. 230873  
[carrie.williamson@dlapiper.com](mailto:carrie.williamson@dlapiper.com)

7  
 8 DLA PIPER LLP (US)  
 2000 University Avenue  
 East Palo Alto, CA 94303-2214  
 9 Tel: 650.833.2000  
 Fax: 650.833.2001

10 Attorneys for Plaintiff and Counterdefendant  
 11 Sun Microsystems, Inc.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN FRANCISCO DIVISION

16 SUN MICROSYSTEMS, INC.,  
 17 Plaintiff-Counterdefendant  
 18 v.  
 19 NETWORK APPLIANCE, INC.,  
 20 Defendant-Counterclaimant

CASE NO. C-07-05488 EDL  
~~PROPOSED~~ ADDENDUM TO  
 PROTECTIVE ORDER

22 Plaintiff-Counterdefendant Oracle America, Inc. (formerly Sun Microsystems, Inc.) and  
 23 Defendant-Counterplaintiff NetApp, Inc. ("NetApp"), by and through their respective counsel,  
 24 hereby stipulate that the Protective Order entered by the Court on March 3, 2008 in this action  
 25 shall be amended as follows:

26 (1) The last sentence of Paragraph 11(d) which states: "These copies shall be stored in  
 27 a manner that prevents duplication of or unauthorized access to the source code, including,  
 28

1 without limitation, storing the source code in a locked room or cabinet at all times when it is not  
2 in use, and shall be returned to the Producing Party at the conclusion of this action” shall be  
3 changed to “These copies shall be stored in a manner that prevents duplication of or unauthorized  
4 access to the source code, including, without limitation, storing the source code in a locked room  
5 or cabinet at all times when it is not in use, and shall be destroyed by the Receiving Party at the  
6 conclusion of this action and the Receiving Party shall so certify this destruction. ”

7 (2) The last two sentences of Paragraph 26 which state: “Notwithstanding this  
8 provision, counsel for the party or parties are entitled to retain an archival copy of all pleadings,  
9 motion papers, transcripts, legal memoranda, correspondence or attorney work product, even if  
10 such materials contain Protected Material. Any such archival copies that contain or constitute  
11 Protected Material remain subject to the Protective Order.” shall be deleted.

12  
13 IT IS SO STIPULATED.

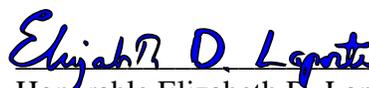
14  
15 Dated: September 10, 2010

Dated: September 10, 2010

16  
17 By /s/ Christine K. Corbett  
18 MARK D. FOWLER  
19 CLAYTON THOMPSON  
20 DAVID ALBERTI  
21 CHRISTINE K. CORBETT  
22 CARRIE L. WILLIAMSON  
23 Attorneys for Plaintiff and  
24 Counterdefendant, Oracle America, Inc.

By /s/ Jeffrey G. Homrig  
MATT POWERS  
EDWARD R. REINES  
JEFFREY G. HOMRIG  
JILL J. HO  
WEIL, GOTSHAL & MANGES LLP  
Attorneys for Defendant and  
Counterplaintiff, NetApp, Inc.

25  
26 So ORDERED AND SIGNED this 15th day of September, 2010.

27   
28 Honorable Elizabeth D. Laporte  
United States Magistrate Judge