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 derivatively on behalf of Oracle Corporation*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**LISA GALAVIZ, derivatively on behalf of
 ORACLE CORPORATION,**

Case No. 10-CV-3392-RS

Plaintiff,

**STIPULATION AND [PROPOSED]
 ORDER SELECTING ADR PROCESS**

vs.

**JEFFREY S. BERG,
 H. RAYMOND BINGHAM,
 MICHAEL J. BOSKIN,
 SAFRA A CATZ,
 LAWRENCE J. ELLISON,
 HECTOR GARCIA-MOLINA,
 JEFFREY O. HENLEY,
 DONALD L. LUCAS
 CHARLES E. PHILLIPS, JR.,
 NAOMI O. SELIGMAN,
 And DOES 1-5, inclusive,**

Defendants;

-and-

ORACLE CORPORATION

Nominal Defendant.

1 The parties have met and conferred regarding ADR process. For the reasons discussed
2 below, the parties agree to meet and confer further regarding ADR after the Court rules on Oracle's
3 motion to dismiss.
4

5 On October 28, 2010, Oracle filed a motion to dismiss for improper venue based on the
6 forum-selection clause in Oracle's bylaws. Plaintiff believes that venue is proper in the Northern
7 District of California and intends to oppose Oracle's motion. Oracle's motion to dismiss regarding
8 venue is scheduled to be heard on December 2, 2010.
9

10 Given the current uncertainty of the pleadings, the parties agree to meet and confer further
11 regarding ADR within 60 days after the Court's ruling on Oracle's motion to dismiss.
12

13 Dated: October 29, 2010

By: _____/s/
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*Attorneys for Plaintiff Lisa Galaviz,
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19 Dated: October 29, 2010

By: /s/ (with permission)
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*Attorneys for Nominal Defendant
Oracle Corporation*

25 IT IS SO ORDERED.

26 Dated: 11/2/10



RICHARD RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE