

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CIVIL TRIAL MINUTES

**The Honorable WILLIAM H. ALSUP**

Date: May 8, 2012

Case No.: C10-03561 WHA

Case Name: ORACLE AMERICA, INC. v. GOOGLE INC.

Plaintiff's Counsel: Michael Jacobs; Dan Muino; Fred Norton; David Boies; Andrew Temkin  
Dorian Daley; Safra Catz (Corporate Representative)

Defendant's Counsel: Robert Van Nest; Matthias Kamber; Eugene Paige; Scott Weingaertner; Christine Anderson  
Dan Purcell; Renny Hwang; Catherine Lacavera (Corporate Representative)

Clerk: Dawn K. Toland

Court Reporter: Kathy Sullivan; Debra Pas

Trial Began: April 16, 2012

Further Trial: May 9, 2012 at 7:30 am

Trial Motions Heard:

Disposition

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Other:

Time in Trial: 5 hours 45 minutes

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**EXHIBIT and WITNESS LIST**

<b>JUDGE:</b> WILLIAM H. ALSUP	<b>PLAINTIFF ATTORNEY:</b> Michael Jacobs; Dan Muino Fred Norton; David Boies Andrew Temkin	<b>DEFENSE ATTORNEY:</b> Robert Van Nest; Matthias Kamber Eugene Paige; Scott Weingaertner Dan Purcell; Christine Anderson
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<b>TRIAL DATE:</b> May 8, 2012	<b>REPORTER(S):</b> Kathy Sullivan; Debra Pas	<b>CLERK:</b> Dawn Toland
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PLF NO.	DEF NO	DATE OFFERED	ID	REC	DESCRIPTION	BY
		<u>7:30 am</u>			<u>Outside the presence of the jury. Plaintiff Michael Jacobs moved in the following stipulated exhibits: 77, 79, 81, 82, 83, 85, 93, 286, 663, 2746, 2749, 2756, 2775, 2776, 89, 90, 91, 82, 94, 87, 388, 662, 310 and 426. Defendant's moved in the following stipulated exhibits: 2460, 2462, 2464, 2929, 2955, 3469 and 2072. Defendant raised issue concerning reference made during plaintiff's openings statement.</u>	
		<u>8:00 am</u>			<u>Reconvene...jury present</u>	
					<u>Court addressed the jury regarding what is a method patent</u>	
		<u>8:09 am</u>			<b><u>Defendant's Opening Statement</u></b>	
		<u>8:49 am</u>			<u>Plaintiff's witness <b>Timothy Lindholm</b> sworn-in. Direct by Fred Norton</u>	
<u>1</u>			<u>x</u>	<u>x</u>	<u>Android GPS Key Strategic Decisions Around Open Source</u>	
<u>321</u>			<u>x</u>	<u>x</u>	<u>Email from Andy Rubin to Tim Lindholm re Project advisors</u>	
<u>131</u>			<u>x</u>	<u>x</u>	<u>Email from Tim Lindholm to Andy Rubin re Another thought on Sun motivation</u>	
<u>325</u>			<u>x</u>	<u>x</u>	<u>Email from Tim Lindholm to <a href="mailto:weekly@google.com">weekly@google.com</a> re weekly</u>	
<u>212</u>			<u>x</u>	<u>x</u>	<u>Email from Tim Lindholm to Andy Rubin re Sun meeting</u>	
<u>1042</u>			<u>x</u>		<u>Email to Tim Lindholm from Dave Sabota</u>	
<u>1043</u>			<u>x</u>		<u>Email to Tim Lindholm from Google Calendar</u>	
<u>25</u>			<u>x</u>	<u>x</u>	<u>The Java Virtual Machine Specification First Edition</u>	
		<u>9:33 am</u>			<u>Recess</u>	
		<u>9:57 am</u>			<u>Reconvene...jury present</u>	
					<u>Cross Examination by Scott Weingaertner</u>	

		<u>10:00 am</u>			<u>Witness Excused</u>
					<u>Plaintiff's witness <b>Robert Vandette</b> sworn-in. Direct by Fred Norton</u>
		<u>10:17 am</u>			<u>Cross Examination by Matthias Kamber</u>
					<u>Report</u>
		<u>10:32 am</u>			<u>Redirect</u>
		<u>10:35 am</u>			<u>Witness Excused</u>
					<u>Plaintiff's witness <b>Noel Poore</b> sworn-in. Direct by Fred Norton</u>
<u>669</u>			<u>x</u>		<u>Summary and Report of Noel Poore</u>
		<u>10:55 am</u>			<u>Cross Examination by Gene Paige</u>
		<u>11:07 am</u>			<u>Redirect Examination</u>
		<u>11:08 am</u>			<u>Recross</u>
		<u>11:10 am</u>			<u>Witness Excused</u>
					<u>Recess</u>
		<u>11:30 am</u>			<u>Outside the presence of the jury. Parties raised issue regarding exhibits #2276 and 1176. Parties reached a stipulation re 104 and 105 patents.</u>
		<u>11:40 am</u>			<u>Reconvene...jury present</u>
					<u>Court read stipulation to the jury</u>
		<u>11:42 am</u>			<u>Video Deposition of <b>Rafael Camargo</b> - exhibit #1125</u>
<u>749</u>			<u>x</u>	<u>x</u>	<u>Android Compatibility Program</u>
<u>753</u>			<u>x</u>	<u>x</u>	<u>Android Compatibility Program</u>
		<u>11:54 am</u>			<u>Plaintiff read Request for Admissions - exhibit #1111</u>
		<u>12:00 pm</u>			<u>Video Deposition of <b>Daniel Morrill</b> - exhibit #1126</u>
		<u>12:15 pm</u>			<u>Plaintiff addressed the jury re summary</u>
		<u>12:16 pm</u>			<u>Defendant addressed the jury re summary</u>
		<u>12:19 pm</u>			<u>Plaintiff's witness <b>Patrick Brady</b> sworn-in. Direct by Michael Jacobs</u>
<u>749</u>			<u>x</u>	<u>x</u>	<u>Android Compatibility Program</u>
<u>347</u>			<u>x</u>	<u>x</u>	<u>Email from Patrick Brady to Daria Kissner re question for board</u>
<u>662</u>			<u>x</u>	<u>x</u>	<u>Anti-Fragmentation Agreement</u>
<u>77</u>			<u>x</u>	<u>x</u>	<u>Open Handset Alliance Cooperative Marketing</u>
<u>2742</u>			<u>x</u>		
<u>83</u>			<u>x</u>	<u>x</u>	<u>Mobile Application Distribution Agreement</u>

