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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN FRANCISCO DIVISION

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ORACLE AMERICA, INC.

CASE NO. CV 10-03561 WHA

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Plaintiff,

**STIPULATION AND ~~PROPOSED~~
ORDER RE CASE MANAGEMENT
AND PHASE 3 ISSUES**

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v.

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GOOGLE INC.

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William Alsup

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Defendant.

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To simplify the proceedings in this matter, the parties hereby stipulate and agree to the following:

Subject to Court approval, the issue of willfulness with respect to patent infringement will be submitted to the jury in Phase 2 of this trial. Should Oracle introduce additional evidence relating to willfulness, Google will have the right to introduce additional responsive evidence. Both shall be subject to the time limits previously set for Phase 2.

~~PROPOSED~~ ORDER

The foregoing stipulation is approved, and IT IS SO ORDERED.

Date: May 14, 2012.



Honorable William Alsup
Judge of the United States District Court

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Dated: May 13, 2012

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Dated: May 13, 2012

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ATTESTATION

I, Robert A. Van Nest, am the ECF User whose ID and password are being used to file this STIPULATION RE CASE MANAGEMENT AND PHASE 3 ISSUES. In compliance with General Order 45, X.B., I hereby attest that Michael Jacobs has concurred in this filing.

Date: May 13, 2012

/s/ Robert A. Van Nest
ROBERT A. VAN NEST