

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CIVIL TRIAL MINUTES

The Honorable WILLIAM H. ALSUP

Date: May 9, 2012

Case No.: **C10-03561 WHA**

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

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

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

Clerk: Dawn K. Toland

Court Reporter: Kathy Sullivan; Debra Pas

Trial Began: April 16, 2012

Further Trial: May 10, 2012 at 7:30 am

Trial Motions Heard:

Disposition

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

Other:

Time in Trial: 7 hours 30 minutes

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EXHIBIT and WITNESS LIST

JUDGE: WILLIAM H. ALSUP	PLAINTIFF ATTORNEY: Michael Jacobs; Dan Muino Fred Norton; David Boies; Dorian Daley Steven Holtzman; Ken Kuwayti	DEFENSE ATTORNEY: Robert Van Nest; Christa Anderson Dan Purcell; Michael Kwun Bruce Baber
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TRIAL DATE: May 9, 2012	REPORTER(S): Kathy Sullivan; Debra Pas	CLERK: 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 provided demonstrative exhibits 1129 and 1130. Exhibits 5 and 971 were received into evidence</u>	
		<u>7:54 am</u>			<u>Reconvene...jury present</u>	
					<u>Direct of Andy Rubin continued</u>	
<u>20</u>			<u>x</u>	<u>x</u>	<u>Email from Steve Horowitz to Leslie Hawthorn re Nedim</u>	
<u>219</u>			<u>x</u>		<u>Email from Andy Rubin to Alan Eustace re Hiroshi project</u>	
		<u>7:56 am</u>			<u>Cross Examination by Christa Anderson</u>	
	<u>155</u>		<u>x</u>	<u>x</u>	<u>Email from Greg Stein to Andy Rubin re [Opensource-team]</u>	
	<u>2714</u>		<u>x</u>	<u>x</u>	<u>Email from Vineet Gupta to Andy Rubin re Re: Hy</u>	
	<u>616</u>		<u>x</u>	<u>x</u>	<u>Email from Vineet Gupta to Alan Brenner</u>	
	<u>20</u>		<u>x</u>	<u>x</u>	<u>Email from Steve Horowitz to Leslie Hawthorn re Nedim</u>	
	<u>22</u>		<u>x</u>	<u>x</u>	<u>Email from Karen Tsay to deal review@google.com</u>	
		<u>8:18 am</u>			<u>Redirect Examination</u>	
<u>230</u>			<u>x</u>	<u>x</u>	<u>Email from Andy Rubin to Bob Lee</u>	
		<u>8:27 am</u>			<u>Recross Examination</u>	
		<u>8:30 am</u>			<u>Re-Redirect Examination</u>	
		<u>8:31 am</u>			<u>Re-Recross Examination</u>	
		<u>8:31 am</u>			<u>Witness Excused</u>	
					<u>Video Deposition of Andy Rubin</u>	
<u>155</u>			<u>x</u>	<u>x</u>	<u>Email from Greg Stein to Andy Rubin re [Opensource-team]</u>	

<u>230</u>			<u>x</u>	<u>x</u>	<u>Email from Steve Horowitz to Leslie Hawthorn re Nedim</u>
		<u>8:55 am</u>			<u>Plaintiff's witness Andy McFadden sworn-in. Direct by Michael Jacobs</u>
<u>294</u>			<u>x</u>	<u>x</u>	<u>McFadden PDB snippets</u>
<u>955</u>			<u>x</u>	<u>x</u>	<u>Resume of Andrew T. McFadden</u>
<u>292</u>			<u>x</u>	<u>x</u>	<u>Self-assessment from 1/1/07 through 8/31/07</u>
<u>302</u>			<u>x</u>	<u>x</u>	<u>Email from hr-help@google.com to Andrew McFadden</u>
<u>737</u>			<u>x</u>	<u>x</u>	<u>Exhibit AB</u>
<u>735</u>			<u>x</u>	<u>x</u>	<u>Exhibit Z</u>
<u>47.1</u>			<u>x</u>	<u>x</u>	<u>Gingerbread:\dalvik\vm\analysis</u>
<u>301</u>			<u>x</u>	<u>x</u>	<u>Email from Andy McFadden to Android-performance@google.com</u>
		<u>9:22 am</u>			<u>Recess</u>
		<u>9:47 am</u>			<u>Reconvene...jury present</u>
<u>46.1</u> <u>4</u>			<u>x</u>	<u>x</u>	<u>Froyo:\dalvik\vm\analysis</u>
<u>47.6</u>			<u>x</u>	<u>x</u>	<u>Gingerbread:\dalvik\vm\oo\Resolve:c</u>
<u>739</u>			<u>x</u>	<u>x</u>	<u>Exhibit AG</u>
<u>27</u>			<u>x</u>	<u>x</u>	<u>All weekly snippets from Andy McFadden</u>
<u>258</u>			<u>x</u>	<u>x</u>	<u>Email from Andy McFadden to Jason Parks</u>
		<u>10:22 am</u>			<u>Cross Examination by Matthias Kamber</u>
		<u>10:27 am</u>			<u>Redirect</u>
		<u>10:30 am</u>			<u>Witness Excused</u>
		<u>10:33 am</u>			<u>Plaintiff's witness Brian Sutphin sworn-in. Direct by Michael Jacobs</u>
		<u>10:40 am</u>			<u>Cross Examination by Robert Van Nest</u>
	<u>971</u>		<u>x</u>	<u>x</u>	<u>Sun Microsystems, inc. For 10-K for the year ending 6/30/08</u>
		<u>10:49 am</u>			<u>Redirect Examination</u>
<u>971</u>			<u>x</u>	<u>x</u>	<u>Sun Microsystems, inc. For 10-K for the year ending 6/30/08</u>
		<u>10:50 am</u>			<u>Witness Excused</u>
					<u>Plaintiff's Witness Professor John Mitchell sworn-in. Direct by Michael Jacobs</u>
<u>4015</u>			<u>x</u>	<u>x</u>	<u>Patent 104</u>
		<u>11:43 am</u>			<u>Recess</u>
		<u>12:02 pm</u>			<u>Reconvene...jury present</u>

