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 ORACLE AMERICA, INC.

20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA  
 22 SAN FRANCISCO DIVISION

23 ORACLE AMERICA, INC.

24 Plaintiff,

25 v.

26 GOOGLE INC.

27 Defendant.

Case No. CV 10-03561 WHA

**MOTION TO RELIEVE RICHARD  
 S. BALLINGER AS COUNSEL OF  
 RECORD FOR ORACLE AMERICA,  
 INC. PURSUANT TO L.R. 11-5**

Dept.: Courtroom 9, 19th Floor  
 Judge: Honorable William H. Alsup

1 ORACLE AMERICA, INC. hereby moves for an order pursuant to Civil Local Rule 11-5  
2 removing Richard S. Ballinger, formerly of Morrison & Foerster LLP as its counsel of record in  
3 this action. Mr. Ballinger yesterday filed a Notice of Change in Counsel pursuant to  
4 Paragraph IV(C)(3) of the Court's General Order No. 45. (Docket No. 122.) The undersigned  
5 counsel certifies that Plaintiffs and counsel for Defendants have stated that they do not oppose  
6 Mr. Ballinger's withdrawal. Because Mr. Ballinger has withdrawn as counsel and given notice to  
7 the parties and counsel, Oracle respectfully requests that the Court GRANT this motion to relieve  
8 Mr. Ballinger as its counsel of record.

9 Counsel of record for Oracle otherwise remains unchanged.

10 Dated: April 26, 2011

11 MICHAEL A. JACOBS  
12 MARC DAVID PETERS  
13 DANIEL P. MUINO  
14 MORRISON & FOERSTER LLP

15 By: /s/ Richard S. Ballinger  
16 Richard S. Ballinger

17 *Attorneys for Plaintiff*  
18 ORACLE AMERICA, INC.  
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