

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,
Plaintiff,
v.
GOOGLE INC.,
Defendant.

No. C 10-03561 WHA

**ORDER GRANTING PRÉCIS
REQUEST FOR LEAVE TO FILE
MOTION TO STRIKE AND
REQUEST FOR RESPONSE RE
SUPPLEMENTAL ANSWER**

Google has filed two précis requests. *First*, Google seeks to file a supplemental answer to include an additional license defense that applies “to the extent Oracle accuses versions of Android using OpenJDK-based code” (Dkt. No. 1443 at 2). *Second*, Google seeks to file a motion to strike portions of Oracle’s opening expert reports that relate to allegations that Google infringed new versions of Java to be heard on an expedited schedule in light of the February 8 deadline to serve rebuttal reports (Dkt. No. 1445). Google avers it stands ready to file both motions.

As to Google’s first request, Oracle responds that it has not accused any version of Android containing the OpenJDK code (Dkt. No. 1451). By **NOON ON JANUARY 27**, Google shall inform the Court whether this moots its proposed defense.

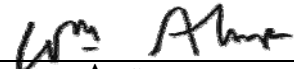
Google’s second request is **GRANTED**. Google shall file its motion by **NOON ON JANUARY 27**. Oracle shall respond by **NOON ON FEBRUARY 1**. A hearing on the motion is hereby **SET** for **FEBRUARY 2 AT 11:00 A.M.**

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For the avoidance of any confusion, the parties should continue to adhere to the précis procedure set forth in the earlier phase of this case (Dkt. No. 86).

IT IS SO ORDERED.

Dated: January 26, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE