

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

**REQUEST FOR BRIEFING RE
MOTIONS *IN LIMINE***

A prior order required Google to withdraw its third and fifth motions *in limine* from the pretrial conference calendar without prejudice to consideration after the opening statements (Dkt. No. 1591). By **FRIDAY, APRIL 29 AT NOON**, Oracle will please respond to Google’s motions regarding the Lindholm email and regarding testimony suggesting violations of privacy or antitrust laws. Google may reply by **TUESDAY, MAY 3 AT NOON**.

Also by **FRIDAY AT NOON**, Oracle shall file its full motion reflected in its fourth summary motion *in limine* to exclude evidence and argument that copying was required to use the Java language. In addition, Oracle may fully brief one additional summary motion *in limine*. Google shall respond by **TUESDAY AT NOON**.

On the same schedule, Google shall file its full motion reflected in its first summary motion *in limine* to preclude expert testimony that recites a preferred version of disputed facts. Google may also fully brief one additional summary motion *in limine*. Oracle shall respond by **TUESDAY AT NOON**.

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The full briefs on the summary motions in *limine* shall not exceed **TWELVE PAGES IN TOTAL** (both motions), with any new exhibits not to exceed **TWENTY PAGES**.

The Court has read all of the parties' summary motions *in limine*, and with the exception of the foregoing (and the motion regarding the admissibility of the testimony of Jonathan Schwartz regarding the existence of a legal claim by Sun, now resolved by stipulation), the Court is inclined to deny all relief.

To be clear, this additional briefing is in addition to the briefing on Google's earlier motions that the Court ordered withdrawn. All of the motions referenced above will likely be decided on the papers.

Finally, the parties shall please bring an agreed-on one-page list of all testifying witnesses for use in the jury questionnaire to the final pretrial conference as well as the one-page statement of the case, the timeline, and all other items previously requested.

Dated: April 26, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE