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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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

CASE NO. CV 10-03561 WHA (DMR)
**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND FACT
DISCOVERY CUT-OFF AND DUE
DATES FOR EXPERT REPORTS**
Judge: Honorable William Alsup

1 WHEREAS, opening expert reports on non-damages issues are due on July 29, 2011;
2 opposition reports are due fourteen days after the opening reports; reply reports are due seven
3 days after the opposition reports; and expert discovery closes fourteen days after the reply reports;

4 WHEREAS, the parties agree that an extension to August 8, 2011, of the due date for
5 opening expert reports on patent-related issues would permit the experts to incorporate additional
6 discovery materials into their reports;

7 WHEREAS, the parties acknowledge and agree that the limited extensions of fact
8 discovery set forth above, and an extension of the due date for opening expert reports on patent-
9 related issues to August 8, 2011, will not affect, delay, or push back any other deadlines in this
10 case; and

11 WHEREAS, there have been no previous requests by the parties to extend the fact
12 discovery cut-off or the due dates for expert reports.

13 **NOW THEREFORE THE PARTIES HEREBY STIPULATE AND AGREE** that:

14 1. Deposition discovery in this case shall be extended to August 15, 2011, for the
15 limited purpose of completing depositions already noticed, except that the depositions of senior
16 executives may be scheduled up to August 31, 2011, if necessary.

17 2. Document discovery in this case shall be extended to August 15, 2011, with the
18 bulk of remaining documents to be produced by August 5, 2011, and privilege logs and any
19 additional remaining documents to be provided by August 15, 2011.

20 3. The time for supplementing interrogatory responses (other than those that relate to
21 copyright infringement) shall be extended to August 1, 2011.

22 4. No additional discovery of any kind shall be served and no additional depositions
23 shall be noticed. Discovery motions shall be filed in the time provided by Civil Local Rule 37-3
24 following August 15, 2011.

25 5. On patent-related issues, opening expert reports shall be served by August 8, 2011.
26 The dates for opposition reports, reply reports, and the close of expert discovery shall be triggered
27 by the August 8, 2011 date and shall follow the time periods specified in Paragraph 8 of the
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1 Court's November 19, 2010 Case Management Order. The due dates for expert reports on
2 copyright-related issues remain unaffected.

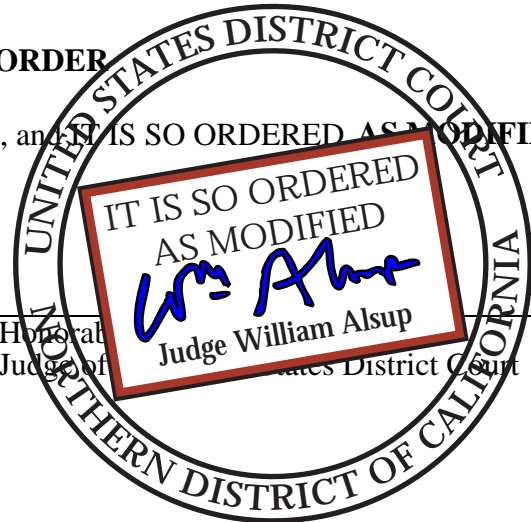
3 6. No other deadlines in this case will be affected by the foregoing extensions. The
4 parties will not use these extensions to argue for a delay of the trial date or any other deadlines in
5 this case. **Specifically, the deadline for filing discovery motions shall not be extended and**
6 **shall remain as before.**

7 ORDER

8 The foregoing stipulation is approved, and **IT IS SO ORDERED AS MODIFIED.**

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11 Date: August 1, 2011.

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Honorable
Judge of
United States District Court



1 Dated: July 28, 2011

MORRISON & FOERSTER LLP

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By: /s/ Michael A. Jacobs

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Michael A. Jacobs

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1 Dated: July 28, 2011

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By: /s/ Robert A. Van Nest
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ATTESTATION

I, Daniel P. Muino, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO EXTEND FACT DISCOVERY CUT-OFF AND DUE DATES FOR EXPERT REPORTS. In compliance with General Order 45, X.B., I hereby attest that Michael A. Jacobs and Robert A. Van Nest have concurred in this filing.

Date: July 28, 2011

/s/ Daniel P. Muino
Daniel P. Muino