

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  
LEAVE TO FILE MOTION  
FOR SUMMARY JUDGMENT  
ON ASSIGNOR ESTOPPEL**

Defendant’s request for leave to file a motion for partial summary judgment on plaintiff’s affirmative defense of assignor estoppel (Dkt No. 309) is **GRANTED**. The motion must be filed by **SEPTEMBER 8, 2011**, and it must be noticed for a hearing on the normal 35-day track. The brief, opposition, and reply brief each may be no more than ten pages.

Plaintiff’s counsel “believe that the issue of assignor estoppel is one in particular that should be discussed and resolved, by stipulation or otherwise, without judicial intervention” (Dkt. No. 320). Plaintiff’s counsel remain free to negotiate a stipulated resolution of this issue, but in the meantime, defendant may file its motion.

**IT IS SO ORDERED.**

Dated: August 19, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE