

1 DONALD F. ZIMMER, JR. (SBN 112279)
 fzimmer@kslaw.com
 2 CHERYL A. SABNIS (SBN 224323)
 csabnis@kslaw.com
 3 KING & SPALDING LLP
 4 101 Second Street – Suite 2300
 San Francisco, CA 94105
 5 Telephone: (415) 318-1200
 Facsimile: (415) 318-1300
 6

7 SCOTT T. WEINGAERTNER (*Pro Hac Vice*)
 sweingaertner@kslaw.com
 8 ROBERT F. PERRY
 rperry@kslaw.com
 9 BRUCE W. BABER (*Pro Hac Vice Pending*)
 bbaber@kslaw.com
 10 KING & SPALDING LLP
 11 1185 Avenue of the Americas
 New York, NY 10036-4003
 Telephone: (212) 556-2100
 12 Facsimile: (212) 556-2222

13 Attorneys for Defendant
 14 GOOGLE INC.

15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18 ORACLE AMERICA, INC.

19 Plaintiff,

20 v.

21 GOOGLE INC.

22 Defendant.
 23
 24
 25
 26
 27

Case No. 3:10-cv-03561-WHA

Honorable Judge William H. Alsup

**[PROPOSED] ORDER GRANTING
 GOOGLE INC.’S MOTION TO DISMISS
 COUNT VIII OF PLAINTIFF’S
 COMPLAINT OR, IN THE
 ALTERNATIVE, FOR A MORE
 DEFINITE STATEMENT**

1 The Motion of Google Inc. to Dismiss Count VIII Of Plaintiff's Complaint Or In The
2 Alternative For A More Definite Statement came for a hearing on November 18, 2010 before the
3 Honorable William H. Alsup.

4 The Court, having considered the papers filed in support of and in opposition to the
5 motions, the arguments presented at the hearing, and other matters relevant to the determination
6 of these motions, hereby GRANTS the motion to dismiss and ORDERS that Count VIII of the
7 Complaint is hereby dismissed.

8 IT IS SO ORDERED.

9

10 Dated:

11

12

Honorable William H. Alsup
United States District Judge

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28