

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

ORACLE AMERICA, INC.,
Plaintiff,

No. C 10-03561 WHA

v.


GOOGLE INC.,
Defendant.

**ORDER GRANTING
LEAVE TO FILE LIMITED
MOTION TO STRIKE**

Defendant requests leave to file a motion to strike portions of the opening expert report by John C. Mitchell (Dkt. No. 377). Plaintiff opposes (Dkt. No. 380). The request is **GRANTED** to the following extent. Defendant may file a motion to strike that is limited to ten pages and three points of critique. The three points of critique may not be *categories* of critique with multiple items crammed in; rather, the motion should identify three specific items in the report that supposedly were not timely disclosed. The motion will be briefed and heard on the normal 35-day schedule. The opposition brief may not exceed fifteen pages, and the reply brief may not exceed five pages. Supporting declarations must be short with few exhibits. If defendant succeeds on the motion, then defendant may be allowed to file an additional motion or motion in limine concerning other objectionable items in the Mitchell report.

IT IS SO ORDERED.

Dated: September 1, 2011.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California