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19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION

22 ORACLE AMERICA, INC.

23 Plaintiff,

24 v.

25 GOOGLE, INC.

26 Defendant.

Case No. CV 10-03561 WHA

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

Date: November 18, 2010
 Time: 8:00 am
 Dept.: Courtroom 9, 19th Floor
 Judge: Honorable William H. Alsup

28 [PROPOSED] ORDER DENYING GOOGLE INC.'S MOTION TO DISMISS COUNT VII OF
 PLAINTIFF'S COMPLAINT OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT
 CASE No. CV 10-03561 WHA

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Google Inc.'s Motion to Dismiss Count VII of Plaintiff's Complaint or, In The Alternative, for a More Definite Statement came for a hearing on November 18, 2010 before the Honorable William H. Alsup. The Court, having considered the papers filed in support of and in opposition to the motion, the arguments presented at the hearing, and other matters relevant to the determination of the motion, hereby DENIES the motion.

IT IS SO ORDERED, Defendant Google, Inc.'s Motion to Dismiss Count VII of Plaintiff's Complaint or, In The Alternative, for a More Definite Statement is DENIED.

Dated: _____ 2010

Honorable William H. Alsup
United States District Court Judge