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United States District Court  
For the Northern District of California

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

ORACLE AMERICA, INC.,  
Plaintiff,

No. C 10-03561 WHA

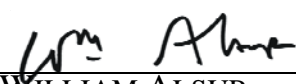
v.  
GOOGLE, INC.,  
Defendant.

**ORDER TO SHOW CAUSE  
WHY THE PENDING MOTION  
TO DISMISS SHOULD NOT BE  
DENIED AS MOOT**

On October 4, 2010, defendant Google, Inc. moved to dismiss, or in the alternative, for a more definite statement regarding plaintiff Oracle America, Inc.'s copyright infringement claim in this Java-fueled battle over the Android platform. Just yesterday, however, a day before its opposition brief to the motion was due, plaintiff Oracle America, Inc. filed an amended complaint altering and augmenting its copyright infringement allegations. Given this development, Google is **ORDERED TO SHOW CAUSE** why its pending motion to dismiss should not be denied as moot (without prejudice, of course, to Google filing a fresh Rule 12 motion targeting the claims as pleaded in plaintiff's newly minted complaint). A response to this order is required no later than **NOON ON MONDAY, NOVEMBER 1.**

**IT IS SO ORDERED.**

Dated: October 28, 2010.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE