1

17

18

19

20

21

22

23

24

25

26

27

28

2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 7 FOR THE NORTHERN DISTRICT OF CALIFORNIA 8 9 10 ORACLE AMERICA, INC., No. C 10-03561 WHA 11 Plaintiff, 12 REQUEST FOR DISCUSSION AT TOMORROW'S HEARING v. 13 GOOGLE INC., 14 Defendant. 15 16 Please work out the answer to the following and be prepared to present the results

tomorrow. If we allowed only the 10% line on Exhibit 34 of Dr. Cockburn's report, then the top ten percent of the portfolio would be worth 88% (rough average) of the patent part of the \$598 million. Using the formula accounting for copyrights at paragraph 414, this would mean that the top ten percent of patents would have a combined value of \$366 million. Ten percent of 569 patents is 57 patents. If those 57 are averaged or of equal value, any five in this group of 57 would be worth about \$32 million in total. Please check this math and logic and be prepared to discuss tomorrow.

IT IS SO ORDERED.

Dated: March 6, 2012.

WILLIAM ALSUP UNITED STATES DISTRICT JUDGE