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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.
Plaintiff,
v.
GOOGLE INC.
Defendant.

Case No. CV 10-03561 WHA (DMR)
**STIPULATION AND [PROPOSED]
ORDER REGARDING TRIAL
PROCEDURES**
Dept.: Courtroom 9, 19th Floor
Judge: Honorable William H. Alsup

1 **STIPULATION**

2 WHEREAS, the parties have continued to meet and confer in advance of trial and have
3 reached agreement regarding certain trial procedures; and

4 WHEREAS, the Court's April 2, 2012 Order regarding rolling witness lists (Dkt. No. 851)
5 permits the parties to change the limit of seven witnesses by written agreement;

6 NOW THEREFORE THE PARTIES HEREBY STIPULATE AND AGREE as follows:

7 **I. TRIAL PROCEDURES**

8 The parties agree to the following procedures for purposes of trial:

9 1. The rolling witness lists contemplated in the Court's April 2, 2012 Order (Dkt. No.
10 851) shall include ten (10) names (or the total of the remaining witnesses that the party has a good
11 faith expectation to call in the event that the party does not expect to call ten more witnesses).

12 2. The parties shall exchange their initial rolling witness lists by 5:00 PM (Pacific) on
13 Monday, April 9, 2012. The parties shall exchange any modifications to their initial rolling
14 witness lists by 5:00 PM (Pacific) on Tuesday, April 10, 2012. Subsequent rolling witness lists
15 shall be exchanged as specified in the Court's April 2, 2012 Order (Dkt. No. 851).

16 3. For motions filed during trial, the parties agree to advance the timing set forth in
17 the Court's Order (Dkt. No. 835) as follows:

- 18 • The moving party shall provide the other party with written notice of intent to file
19 a motion (which notice shall include the relief to be sought and a general
20 description of the subject matter and basis for the motion) by 3 PM (Pacific) on the
21 day the motion is to be filed.
- 22 • The moving party shall file its motion no later than 6 PM (Pacific) the same day.
- 23 • The opposing party shall file its response no later than 10 PM (Pacific) the same
24 day.

25 4. The parties shall exchange materials to be shown the jury during Phase One
26 opening statements no later than 4 PM (Pacific) on Saturday, April 14, 2012. Written objections,
27 if any, to the opposing party's materials shall be exchanged by 1 PM (Pacific) on Sunday,
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1 April 15, 2012. The parties shall meet and confer regarding any objections by 4 PM (Pacific) on
2 April 15, 2012.

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5 **ORDER**

6 The foregoing stipulation is approved, and IT IS SO ORDERED.
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9 Date: _____

10 Honorable William Alsup
11 Judge of the United States District Court
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1 Dated: April 9, 2012

MORRISON & FOERSTER LLP

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3 By: /s/ Daniel P. Muino

4 MORRISON & FOERSTER LLP
MICHAEL A. JACOBS (Bar No. 111664)
mjacobs@mofo.com
5 KENNETH A. KUWAYTI (Bar No. 145384)
kkuwayti@mofo.com
6 MARC DAVID PETERS (Bar No. 211725)
mdpeters@mofo.com
7 DANIEL P. MUINO (Bar No. 209624)
dmuino@mofo.com
8 755 Page Mill Road
Palo Alto, CA 94304-1018
9 Telephone: (650) 813-5600
Facsimile: (650) 494-0792

10
11 BOIES, SCHILLER & FLEXNER LLP
DAVID BOIES (Admitted *Pro Hac Vice*)
dboies@bsflp.com
12 333 Main Street
Armonk, NY 10504
13 Telephone: (914) 749-8200
Facsimile: (914) 749-8300
14 STEVEN C. HOLTZMAN (Bar No. 144177)
sholtzman@bsflp.com
15 1999 Harrison St., Suite 900
Oakland, CA 94612
16 Telephone: (510) 874-1000
Facsimile: (510) 874-1460

17
18 ORACLE CORPORATION
DORIAN DALEY (Bar No. 129049)
dorian.daley@oracle.com
19 DEBORAH K. MILLER (Bar No. 95527)
deborah.miller@oracle.com
20 MATTHEW M. SARBORARIA (Bar No.
21 211600)
matthew.sarboraria@oracle.com
22 500 Oracle Parkway
Redwood City, CA 94065
23 Telephone: (650) 506-5200
Facsimile: (650) 506-7114

24 *Attorneys for Plaintiff*
ORACLE AMERICA, INC.

1 Dated: April 9, 2012

KEKER & VAN NEST, LLP

2
3 By: /s/ Christa M. Anderson

4 ROBERT A. VAN NEST (SBN 84065)
rvannest@kvn.com
5 CHRISTA M. ANDERSON (SBN184325)
canderson@kvn.com
6 DANIEL PURCELL (SBN 191424)
dpurcell@kvn.com
7 710 Sansome Street
San Francisco, CA 94111-1704
8 Telephone: (415) 391-5400
Facsimile: (415) 397-7188

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

14 DONALD F. ZIMMER, JR. (SBN 112279)
fzimmer@kslaw.com
15 CHERYL A. SABNIS (SBN 224323)
csabnis@kslaw.com
16 KING & SPALDING LLP
101 Second Street - Suite 2300
17 San Francisco, CA 94105
18 Telephone: (415) 318-1200
Facsimile: (415) 318-1300

19 GREENBERG TRAUIG, LLP
20 IAN C. BALLON (SBN 141819)
ballon@gtlaw.com
21 HEATHER MEEKER (SBN 172148)
meekerh@gtlaw.com
22 1900 University Avenue
East Palo Alto, CA 94303
23 Telephone: (650) 328-8500
Facsimile: (650) 328-8508

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25 *Attorneys for Defendant*
GOOGLE INC.

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ATTESTATION

I, Daniel P. Muino, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING TRIAL PROCEDURES. In compliance with General Order 45, X.B., I hereby attest that Christa M. Anderson has concurred in this filing.

Date: April 9, 2012

/s/ Daniel P. Muino