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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

STIPULATION AND ~~PROPOSED~~ ORDER REGARDING TRIAL PROCEDURES
CASE No. CV 10-03561 WHA (DMR)

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.

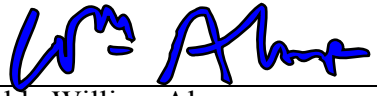
25 4. The parties shall exchange materials to be shown the jury during Phase One
26 opening statements no later than 4 PM (Pacific) on Saturday, April 14, 2012. Written objections,
27 if any, to the opposing party's materials shall be exchanged by 1 PM (Pacific) on Sunday,
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1 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: April 10, 2012.



Honorable William Alsup
Judge of the United States District Court

1 Dated: April 9, 2012

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3 By: /s/ Daniel P. Muino

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24 *Attorneys for Plaintiff*
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1 Dated: April 9, 2012

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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