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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ORACLE USA, Inc., *et al.*,
 	
                    Plaintiffs,
 	
        v.
 	
SAP AG, *et al.*,
 	
                    Defendants.
	Case No. 07-CV-1658 PJH (EDL)
	
	**STIPULATION AND [~~PROPOSED~~]
	ORDER TO EXTEND TIME FOR
	EXPERT DISCOVERY**

Pursuant to Civil Local Rule 6-2, and in accordance with Local Rule 7-12, Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle EMEA Ltd., and Siebel Systems, Inc. ("Oracle") and Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. ("Defendants," and together with "Oracle," "the Parties") hereby submit this agreed upon stipulation to extend time for expert discovery. The June 11, 2009 Stipulated Revised Case Management and Pretrial Order ("June 11, 2009 Order") provides that the deadline to serve rebuttal expert reports is February 26, 2010. *See* D.I. 325. The Parties jointly request that the deadline to serve rebuttal expert reports be extended to March 26, 2010. Additionally, the June 11, 2009 Order sets an expert discovery cut-off date of April 23, 2010. *See* D.I. 325. The Parties jointly request that expert discovery cut-off be extended to June 18, 2010.

This requested extension does not impact any other portion of the current case schedule, including any dates involving any action by the Court or the current trial date of November 1, 2010. The accompanying Declaration of Scott Cowan sets forth the reasons for the requested extension of time. The only purpose of this requested extension is to extend the two deadlines noted above and thus this requested extension shall not in any way affect any other rights or obligations of the Parties.

DATED: December 21, 2009   JONES DAY

By: _____ /s/ Scott W. Cowan _____
            Scott W. Cowan.

Attorneys for Defendants
SAP AG, SAP AMERICA, INC., and
TOMORROWNOW, INC.

In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

DATED: December 21, 2009   BINGHAM McCUTCHEN LLP

By: :   /s/ Geoffrey M. Howard
         Geoffrey M. Howard

Attorneys for Plaintiffs
Oracle USA, Inc., Oracle International
Corporation, Oracle EMEA Ltd., and Siebel
Systems, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 12/22/09   By: Hon. Phyllis J. Hamilton

IT IS SO ORDERED

Judge Phyllis J. Hamilton

STIPULATION AND [PROPOSED] ORDER TO
EXTEND TIME FOR EXPERT DISCOVERY
Case No. 07-CV-1658 PJH (EDL)