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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ORACLE USA, INC., et al.,
Plaintiffs,
v.
SAP AG, et al.,
Defendants.

No. C 07-1658 PJH
ORDER

The court has spent and will spend considerable time reviewing the voluminous pretrial filings in this case. It is apparent from the court’s review of the parties’ trial stipulation and proposed order regarding liability, dismissal of claims, preservation of defenses, and objections to evidence at trial (Docket No. 837) that some of the eighteen motions in limine are moot in view of that stipulation and that several of the ten Daubert motions may also be at least partially moot.

The court appreciates the parties’ successful efforts at reducing the scope and length of the upcoming trial, but in order to avoid any further unnecessary expenditure of time on the pretrial papers, requires the parties to submit a joint letter no later than 12:00 noon on Tuesday, September 14, 2010, advising which of the motions in limine and Daubert motions are moot in view of the stipulation.

Further, the court anticipates that other pretrial filings (such as witness lists, exhibit lists, and jury instructions) may need revision as well. The joint letter shall also address those filings. If revised filings are required, the court must receive them sufficiently in

1 advance of the pretrial conference to permit review.

2 Finally, Magistrate Judge Spero's minute entry dated September 7, 2010, refers to
3 two trial stipulations having been reached at the settlement conference on that date. If a
4 second stipulation is indeed forthcoming, the court would appreciate it being filed as soon
5 as possible, so as to avoid any further expenditure of unnecessary resources on matters
6 the parties have resolved.

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8 **IT IS SO ORDERED.**

9 Dated: September 13, 2010



PHYLLIS J. HAMILTON
United States District Judge

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