

1 K.T. Cherian (Cal. Bar No. 133967)  
 Clayton C. James (*pro hac vice* application pending)  
 2 Srecko Vidmar (Cal. Bar No. 241120)  
 Maren J. Clouse (Cal. Bar No. 228726)  
 3 HOGAN LOVELLS US LLP  
 Four Embarcadero Center, 22nd Floor  
 4 San Francisco, California 94111  
 Telephone: (415) 374-2300  
 5 Facsimile: (415) 374-2499

6 Peter J. O'Rourke (Cal. Bar No. 227164)  
 ORACLE CORPORATION  
 7 500 Oracle Parkway, MS 50P7  
 Redwood Shores, California 94065  
 8 Telephone: (650) 506-5200  
 Facsimile: (650) 506-7114

9 Attorneys for Plaintiffs  
 10 ORACLE CORPORATION  
 and ORACLE AMERICA, INC.  
 11

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 OAKLAND DIVISION

15 ORACLE CORPORATION, a Delaware  
 corporation, and ORACLE AMERICA, INC., a  
 16 Delaware corporation,

17 Plaintiffs,

18 v.

19 ORG STRUCTURE INNOVATIONS LLC, a  
 Texas limited liability company, and PAUL  
 20 MORINVILLE, an individual resident of  
 Indiana,  
 21

22 Defendants.

Case No. 11-cv-03549-SBA

**STIPULATION AND ORDER  
 GRANTING JOINT  
 ADMINISTRATIVE MOTION TO  
 FILE UNDER SEAL PORTIONS OF  
 JOINT CASE MANAGEMENT  
 STATEMENT AND REPORT  
 PURSUANT TO FED. R. CIV. P. 26(f)**

Hon. Sandra Brown Armstrong

1           WHEREAS Defendant Morinville filed an Administrative Motion to Seal the Complaint in  
2 this action on the grounds that it contains confidential information (Dkt. No. 7);

3           WHEREAS the Court issued an Order granting Defendant’s Motion to Seal the Complaint  
4 and directing that the Complaint be filed under seal (Dkt. No. 10);

5           WHEREAS Plaintiffs do not believe that the Complaint contains any information  
6 appropriate for filing under seal and have moved the Court for reconsideration of its Order sealing  
7 the Complaint (Dkt. No. 39);

8           WHEREAS Defendants believe that the Complaint does contain confidential information  
9 that should be sealed, and that quotations or discussions of that confidential information in other  
10 pleadings also should be sealed;

11           WHEREAS portions of the parties’ Joint Case Management Statement and Report Pursuant  
12 to Federal Rule of Civil Procedure 26(f) refer to the Complaint;

13           WHEREAS in light of the Court’s Order sealing the Complaint, the parties seek to file under  
14 seal those portions of their Joint Case Management Statement and Report Pursuant to Federal Rule  
15 of Civil Procedure 26(f) that refer to the Complaint;

16           WHEREAS this action concerns a patent license agreement (“Agreement”) that contains  
17 confidential business information and is subject to a confidentiality agreement;

18           WHEREAS that Agreement has been filed under seal in this action (Dkt. No. 43 Ex. 2);

19           WHEREAS portions of the parties’ Joint Case Management Statement and Report Pursuant  
20 to Federal Rule of Civil Procedure 26(f) refer to confidential information in the Agreement; and

21           WHEREAS the parties seek to file under seal those portions of the Joint Case Management  
22 Statement and Report Pursuant to Federal Rule of Civil Procedure 26(f) that refer to confidential  
23 information the Agreement;

24           ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED that, with the Court’s  
25 permission, the parties may file under seal in accordance with Civil Local Rule 79-5 those portions  
26 of their Joint Case Management Statement and Report Pursuant to Federal Rule of Civil Procedure  
27 26(f) that refer to the Complaint or confidential information in the Agreement.

1 IT IS SO STIPULATED AND AGREED.

2

3 Dated: October 19, 2011

HOGAN LOVELLS US LLP

4

By: /s/ Maren J. Clouse

5

Maren J. Clouse

6

Attorneys for Plaintiffs

ORACLE CORPORATION

7

and ORACLE AMERICA, INC.

8

9 Dated: October 19, 2011

FARNEY DANIELS LLP

10

By: /s/ Steven R. Daniels

11

Steven R. Daniels

12

800 South Austin Avenue, Suite 200

13

Georgetown, Texas 78626

14

Attorneys for Defendants

ORG STRUCTURE INNOVATIONS LLC

15

and PAUL MORINVILLE

16

17

18

19

20

21

22

23

24

25

26

27

28


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Based on the foregoing, IT IS HEREBY ORDERED that the parties may file under seal in accordance with Civil Local Rule 79-5 those portions of their Joint Case Management Statement and Report Pursuant to Federal Rule of Civil Procedure 26(f) that refer to the Complaint or confidential information in the Agreement.

IT IS SO ORDERED.

DATED: 10/28/11

  
\_\_\_\_\_  
THE HONORABLE SAUNDRA BROWN ARMSTRONG  
United States District Judge

I, Maren J. Clouse, attest that Steven R. Daniels has read and approved this Stipulation and Proposed Order Granting Joint Administrative Motion to File Under Seal and consents to its filing in this action.