

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                      |   |  |
|----------------------|---|--|
| ORACLE AMERICA, INC. | ) |  |
|                      | ) | <b>MISCELLANEOUS ACTION</b>              |
| Plaintiff,           | ) |  |
|                      | ) | <b>SUBPOENA IN A CIVIL CASE</b>          |
| vs.                  | ) |  |
|                      | ) | Case No.                                 |
|                      | ) |  |
| GOOGLE INC.          | ) | Principal case pending in Northern       |
|                      | ) | District of California, Civil Action No. |
| Defendant.           | ) | 3:10-cv-03561-WHA                        |

**MOTION TO COMPEL THE DEPOSITION OF MOTOROLA**

Oracle America, Inc. (“Oracle”) respectfully moves this Court for an order compelling Motorola Mobility, Inc. (“Motorola”) to provide a witness in response to Oracle’s 30(b)(6) deposition subpoena. This motion is based on the concurrently filed Memorandum in Support of the Motion to Compel the Deposition of Motorola, the Declaration of Roman A. Swoopes and supporting exhibits, and upon all further oral or documentary evidence as may be presented at the time of the hearing on the motion.

Dated: August 5, 2011

Respectfully submitted,

ORACLE AMERICA, INC.

/s/ Todd H. Flaming

Todd H. Flaming

KRAUSFLAMING LLC  
TODD H. FLAMING  
Todd@KrausFlaming.com  
KENNETH E. KRAUS  
Ken@KrausFlaming.com  
20 South Clark Street, Suite 2620  
Chicago, IL 60603  
Tel: (312) 447-7217  
Fax: (312) 236-9201

MORRISON & FOERSTER LLP  
DANIEL P. MUINO  
dmuino@mofo.com  
755 Page Mill Road  
Palo Alto, CA 94304-1018  
Tel: (650) 813-5600 / Fax: (650) 494-0792

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.

MORRISON & FOERSTER LLP  
MICHAEL A. JACOBS  
mjacobs@mofo.com  
MARC DAVID PETERS  
mdpeters@mofo.com  
DANIEL P. MUINO  
dmuino@mofo.com  
755 Page Mill Road  
Palo Alto, CA 94304-1018  
Tel: (650) 813-5600 / Fax: (650) 494-0792

BOIES, SCHILLER & FLEXNER LLP  
DAVID BOIES  
dboies@bsfllp.com  
333 Main Street  
Armonk, NY 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300  
STEVEN C. HOLTZMAN  
sholtzman@bsfllp.com  
1999 Harrison St., Suite 900  
Oakland, CA 94612  
Tel: (510) 874-1000 / Fax: (510) 874-1460

ORACLE CORPORATION  
DORIAN DALEY  
dorian.daley@oracle.com  
DEBORAH K. MILLER  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA  
matthew.sarboraria@oracle.com  
500 Oracle Parkway  
Redwood City, CA 94065  
Tel: (650) 506-5200 / Fax: (650) 506-7114

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.  
in principal action

**CERTIFICATE OF SERVICE**

I, Todd H. Flaming, an attorney, certify that I caused a copy of the attached Motion to be served, this 5th day of August, 2011 upon the following parties as set forth below:

|   |   |
|---|---|
| <p>MOTOROLA MOBILITY, INC.<br/>c/o CT Corporation System<br/>208 S. LaSalle Street<br/>Suite 814<br/>Chicago, Illinois 60604<br/>(by process server)</p> <p>GOOGLE INC.<br/>(all counsel by email)<br/>Robert F. Perry<br/>Scott T. Weingaertner<br/>Bruce W. Baber<br/>Mark H. Francis<br/>Christopher C. Carnaval<br/>KING &amp; SPALDING LLP<br/>1185 Avenue of the Americas<br/>New York, NY 10036-4003<br/>---<br/><a href="mailto:RPerry@kslaw.com">RPerry@kslaw.com</a><br/><a href="mailto:SWeingaertner@kslaw.com">SWeingaertner@kslaw.com</a><br/><a href="mailto:bbaber@kslaw.com">bbaber@kslaw.com</a><br/><a href="mailto:mfrancis@kslaw.com">mfrancis@kslaw.com</a><br/><a href="mailto:ccarnaval@kslaw.com">ccarnaval@kslaw.com</a><br/>---<br/><a href="mailto:Google-Oracle-Service-OutsideCounsel@kslaw.com">Google-Oracle-Service-OutsideCounsel@kslaw.com</a><br/>Fax: 212.556.2222</p> <p>Donald F. Zimmer, Jr.<br/>Cheryl Z. Sabnis<br/>KING &amp; SPALDING LLP<br/>101 Second Street, Suite 2300<br/>San Francisco, CA 94105<br/><a href="mailto:fzimmer@kslaw.com">fzimmer@kslaw.com</a><br/><a href="mailto:csabnis@kslaw.com">csabnis@kslaw.com</a><br/>Fax: 415.318.1300</p> | <p>Timothy T. Scott<br/>Geoffrey M. Ezgar<br/>Leo Spooner III<br/>KING &amp; SPALDING, LLP<br/>333 Twin Dolphin Drive, Suite 400<br/>Redwood Shores, CA 94065<br/><a href="mailto:TScott@kslaw.com">TScott@kslaw.com</a><br/><a href="mailto:GEzgar@kslaw.com">GEzgar@kslaw.com</a><br/><a href="mailto:LSpooner@kslaw.com">LSpooner@kslaw.com</a><br/>Fax: 650.590.1900</p> <p>Steven Snyder<br/>KING &amp; SPALDING LLP<br/>100 N. Tryon Street, Suite 3900<br/>Charlotte, NC 28202<br/><a href="mailto:ssnyder@kslaw.com">ssnyder@kslaw.com</a><br/>Fax: 704.503.2622</p> <p>Brian Banner<br/>King &amp; Spalding LLP<br/>401 Congress Avenue<br/>Suite 3200<br/>Austin, TX 78701<br/><a href="mailto:bbanner@kslaw.com">bbanner@kslaw.com</a><br/>Fax. 512.457.2100</p> |
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Ian C. Ballon  
Heather Meeker  
GREENBERG TRAURIG LLP  
1900 University Avenue, 5<sup>th</sup> Floor  
East Palo Alto, CA 94303  
[ballon@gtlaw.com](mailto:ballon@gtlaw.com)  
[meekerh@gtlaw.com](mailto:meekerh@gtlaw.com)  
Fax: 650.328.8508

Valerie W. Ho  
GREENBERG TRAURIG LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404  
[hov@gtlaw.com](mailto:hov@gtlaw.com)  
Fax: 310.586.7800

Renny F. Hwang  
GOOGLE INC.  
1600 Amphitheatre Parkway  
Mountain View, CA 94043  
[rennyhwang@google.com](mailto:rennyhwang@google.com)  
Fax: 650.618.1806

Joseph R. Wetzel  
Dana K. Powers  
GREENBERG TRAURIG, LLP  
153 Townsend Street, 8th Floor  
San Francisco, CA 94107  
[wetzelj@gtlaw.com](mailto:wetzelj@gtlaw.com)  
[powersdk@gtlaw.com](mailto:powersdk@gtlaw.com)  
Fax: 415.707.2010

Robert A. Van Nest  
Christa M. Anderson  
Michael S. Kwun  
Daniel Purcell  
Eugene M. Paige  
Matthias A. Kamber  
KEKER & VAN NEST LLP  
633 Battery Street  
San Francisco, CA 94111-1809  
[rvannest@kvn.com](mailto:rvannest@kvn.com)  
[canderson@kvn.com](mailto:canderson@kvn.com)  
[mkwun@kvn.com](mailto:mkwun@kvn.com)  
[dpurcell@kvn.com](mailto:dpurcell@kvn.com)  
[epaige@kvn.com](mailto:epaige@kvn.com)  
[mkamber@kvn.com](mailto:mkamber@kvn.com)  
[dalvik-kvn@kvn.com](mailto:dalvik-kvn@kvn.com)  
Fax: 415.397.7188

*/s/ Todd H. Flaming*

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Todd H. Flaming