1 2 3 4 5 6 7 8 9 10 11 12 13	BOIES, SCHILLER & FLEXNER LLP RICHARD J. POCKER (NV Bar No. 3568) 300 South Fourth Street, Suite 800 Las Vegas, NV 89101 Telephone: 702.382.7300 Facsimile: 702.382.2755 rpocker@bsfllp.com BOIES, SCHILLER & FLEXNER LLP STEVEN C. HOLTZMAN BEKO O. REBLITZ-RICHARDSON 1999 Harrison Street, Suite 900 Oakland, CA 94612 Telephone: 510.874.1000 Facsimile: 510.874.1460 sholtzman@bsfllp.com brichardson@bsfllp.com Attorneys for Oracle America, Inc. and Oracle International Corp.	MORGAN, LEWIS & BOCKIUS LLP THOMAS S. HIXSON JOHN A. POLITO NITIN JINDAL One Market, Spear Street Tower San Francisco, CA 94105 Telephone: 415.442.1000 Facsimile: 415.442.1001 thomas.hixson@morganlewis.com john.polito@morganlewis.com nitin.jindal@morganlewis.com DORIAN DALEY DEBORAH K. MILLER JAMES C. MAROULIS ORACLE CORPORATION 500 Oracle Parkway, M/S 50p7 Redwood City, CA 94070 Telephone: 650.506.4846 Facsimile: 650.506.7114 dorian.daley@oracle.com deborah.miller@oracle.com jim.maroulis@oracle.com
14	UNITED STATES DISTRICT COURT	
15	DISTRICT OF NEVADA	
16 17 18 19 20	COLBECK CAPITAL MANAGEMENT, Third-Party Movant, v. ORACLE INTERNATIONAL CORPORATION and ORACLE AMERICA, INC., Respondents.	Case No. 3:16-CV-00543-LRH-CWH ORDER GRANTING IN PART AND DENYING IN PART COLBECK CAPITAL MANAGEMENT'S MOTION TO QUASH SUBPOENA DUCES TECUM
 21 22 23 24 25 26 27 28 	Underlying Litigation Case No. 2:14-CV-01699-LRH-CWH RIMINI STREET, INC., a Nevada corporation; Plaintiff, v. ORACLE INTERNATIONAL CORPORATION, a California corporation, Defendant.	

1	ORACLE AMERICA, INC., a Delaware corporation, <i>et al.</i> ,	
2	Counterclaimants,	
3	V.	
4	RIMINI STREET, INC., a Nevada corporation, et al.,	
5	Counterdefendants.	
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Order

Pending before this Court is Third-Party Movant Colbeck Capital Management's		
("Colbeck") Motion to Quash Subpoena Duces Tecum. ECF Nos. 1, 2. Having considered		
Colbeck's Motion to Quash, and good cause appearing:		
IT IS HEREBY ORDERED THAT Colbeck's Motion To Quash is GRANTED IN PART		
and DENIED IN PART as follows:		
1. Oracle and Colbeck shall meet and confer within 10 days of entry of this Order		
regarding the cost of complying with the Court's directions at the December 16,		
2016 hearing, including the number of Colbeck custodians at issue. Following		
such meet and confer, Colbeck shall produce the final loan transaction documents		
between Colbeck and Rimini, Rimini's loan application, information that Rimini		
sent to Colbeck in trying to obtain the loan, and any communications between		
Colbeck and Rimini constituting or reflecting the negotiation of the loan		
transaction.		
2. Colbeck need not produce its internal analyses of the transaction.		
DATED: January 12, 2017 By:		
Hon. Carl W. Hoffman United States Magistrate Judge		
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CERTIFICATE OF SERVICE I certify that on January 11, 2017, I electronically transmitted the foregoing: [PROPOSED] ORDER GRANTING IN PART AND DENYING IN PART COLBECK CAPITAL MANAGEMENT'S MOTION TO QUASH SUBPOENA DUCES TECUM; and DECLARATION OF THOMAS S. HIXSON IN SUPPORT OF [PROPOSED] ORDER GRANTING IN PART AND DENYING IN PART COLBECK CAPITAL MANAGEMENT'S MOTION TO QUASH SUBPOENA DUCES TECUM to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel are CM/ECF registrants. Dated: January 11, 2017 Morgan, Lewis & Bockius LLP /s/ Thomas S. Hixson Thomas S. Hixson Attorneys for Counterclaimant Oracle America, Inc. and Defendant and Counterclaimant Oracle International Corporation

1 2 3 4 5 6 7 8 9 10 11 12 13	BOIES, SCHILLER & FLEXNER LLP RICHARD J. POCKER (NV Bar No. 3568) 300 South Fourth Street, Suite 800 Las Vegas, NV 89101 Telephone: 702.382.7300 Facsimile: 702.382.2755 rpocker@bsfllp.com BOIES, SCHILLER & FLEXNER LLP STEVEN C. HOLTZMAN BEKO O. REBLITZ-RICHARDSON 1999 Harrison Street, Suite 900 Oakland, CA 94612 Telephone: 510.874.1000 Facsimile: 510.874.1460 sholtzman@bsfllp.com brichardson@bsfllp.com Attorneys for Oracle America, Inc. and Oracle International Corp.	MORGAN, LEWIS & BOCKIUS LLP THOMAS S. HIXSON JOHN A. POLITO NITIN JINDAL One Market, Spear Street Tower San Francisco, CA 94105 Telephone: 415.442.1000 Facsimile: 415.442.1001 thomas.hixson@morganlewis.com john.polito@morganlewis.com nitin.jindal@morganlewis.com DORIAN DALEY DEBORAH K. MILLER JAMES C. MAROULIS ORACLE CORPORATION 500 Oracle Parkway, M/S 50p7 Redwood City, CA 94070 Telephone: 650.506.4846 Facsimile: 650.506.7114 dorian.daley@oracle.com deborah.miller@oracle.com jim.maroulis@oracle.com
14	UNITED STATES DISTRICT COURT	
15	DISTRICT OF NEVADA	
16	COLBECK CAPITAL MANAGEMENT,	Case No. 3:16-CV-00543-LRH-CWH
17 18 19 20	Third-Party Movant, v. ORACLE INTERNATIONAL CORPORATION and ORACLE AMERICA, INC., Respondents.	DECLARATION OF THOMAS S. HIXSON IN SUPPORT OF [PROPOSED] ORDER GRANTING IN PART AND DENYING IN PART COLBECK CAPITAL MANAGEMENT'S MOTION TO QUASH SUBPOENA DUCES TECUM
21		
22	<u>Underlying Litigation</u> Case No. 2:14-CV-01699-LRH-CWH	
2324	RIMINI STREET, INC., a Nevada corporation; Plaintiff,	
25	V.	
26	ORACLE INTERNATIONAL CORPORATION, a California corporation,	
27	Defendant.	
28		

1	ORACLE AMERICA, INC., a Delaware corporation, et al.,	
2	Counterclaimants,	
3	v.	
4	RIMINI STREET, INC., a Nevada corporation, et al.,	
5	Counterdefendants.	
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1	DECLARATION OF THOMAS S. HIXSON	
2	I, Thomas S. Hixson, declare as follows:	
3	1. I am an attorney admitted to practice <i>pro hac vice</i> before this Court in the above	
4	captioned matter, and a partner with Morgan, Lewis & Bockius LLP, counsel of record for	
5	Respondents Oracle America, Inc. and Oracle International Corporation's (collectively "Oracle	
6	in this action. I have personal knowledge of the facts stated below and could and would testify	
7	to them if called upon to do so.	
8	2. I make this declaration in support of the [Proposed] Order Granting In Part And	
9	Denying In Part Colbeck Capital Management's Motion To Quash Subpoena Duces Tecum	
10	("Proposed Order"), pursuant to Civil Local Rule 7-2(f). See also Minutes of Proceedings, ECF	
11	No. 52 (granting in part and denying in part Colbeck's motion to quash).	
12	3. I served a draft proposed order on Third-Party Movant Colbeck Capital	
13	Management ("Colbeck") on December 21, 2016.	
14	4. Colbeck initially stated its reasons for disapproval on December 27, 2016.	
15	However, the parties subsequently met and conferred and, through joint revisions, were able to	
16	resolve Colbeck's objections. Thus, the terms and form of the Proposed Order have been agreed	
17	to by both parties.	
18	I executed this declaration on this 10th day of January, 2017 at San Francisco, California	
19	I declare under penalty of perjury under the laws of the United States that the foregoing is true	
20	and correct.	
21	DATED. L 11 2017 MODCAN LEWIS & DOCKIUS LLD	
22	DATED: January 11, 2017 MORGAN, LEWIS & BOCKIUS LLP	
23		
24	By: /s/ Thomas S. Hixson	
25	Thomas S. Hixson Attorney for Counterclaimant Oracle America,	
26	Inc. and Defendant and Counterclaimant Oracle International Corporation	
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