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23 UNITED STATES DISTRICT COURT  
24 NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

25 ORACLE USA, INC., et al.,  
Plaintiffs,  
26 v.  
27 SAP AG, et al.,  
28 Defendants.

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TOMORROWNOW, INC.

Case No. 07-CV-1658 PJH (EDL)

**STIPULATION AND [PROPOSED]  
ORDER REGARDING THE  
UNSEALING OF DOCKET ITEM 961**

1 Pursuant to Local Rule 7-12, Plaintiffs Oracle USA, Inc., Oracle International Corporation  
2 and Siebel Systems, Inc. and Defendants SAP AG, SAP America, Inc. and TomorrowNow, Inc.  
3 (collectively, the "Parties") jointly submit this Stipulation and [Proposed] Order regarding the  
4 unsealing of Docket Item 961, Additional Trial Stipulation and [Proposed] Order Regarding  
5 Claims For Damages and Attorneys Fees.

6 WHEREAS the Court ordered Docket Item 961 sealed on November 2, 2010, after  
7 discussion with the Parties at trial;

8 WHEREAS trial has now concluded and the jury has rendered its verdict; and,

9 WHEREAS the Parties request that Docket Item 961 therefore be unsealed as to all  
10 members of the public;

11 **NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE,**  
12 through their respective counsel of record, as follows:

- 13 1. That Docket Item 961 may be unsealed as to all members of the public.  
14

15 **IT IS SO STIPULATED.**

16 DATED: December 16, 2010

BINGHAM McCUTCHEN LLP

17 By:           /s/ Geoffrey M. Howard            
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19 Geoffrey M. Howard  
20 Attorneys for Plaintiffs  
Oracle USA, Inc., Oracle International  
Corporation and Siebel Systems, Inc.

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

23 DATED: December 16, 2010

JONES DAY

24 By:           /s/ Tharan Gregory Lanier            
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26 Tharan Gregory Lanier  
27 Attorneys for Defendants  
SAP AG, SAP America, Inc., and  
TomorrowNow, Inc.  
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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: December 20 \_\_\_\_\_, 2010

