

1 Robert A. Mittelstaedt (SBN 060359)
Jason McDonell (SBN 115084)
2 Elaine Wallace (SBN 197882)
JONES DAY
3 San Francisco Office
555 California Street, 26th Floor
4 San Francisco, CA 94104
Telephone: (415) 626-3939
5 Facsimile: (415) 875-5700
ramittelstaedt@jonesday.com
6 jmcdonell@jonesday.com
ewallace@jonesday.com
7

8 Tharan Gregory Lanier (SBN 138784)
Jane L. Froyd (SBN 220776)
JONES DAY
9 Silicon Valley Office
1755 Embarcadero Road
10 Palo Alto, CA 94303
Telephone: (650) 739-3939
11 Facsimile: (650) 739-3900
tglanier@jonesday.com
12 jfroyd@jonesday.com

13 Scott W. Cowan (Admitted *Pro Hac Vice*)
Joshua L. Fuchs (Admitted *Pro Hac Vice*)
14 JONES DAY
717 Texas, Suite 3300
15 Houston, TX 77002
Telephone: (832) 239-3939
16 Facsimile: (832) 239-3600
swcowan@jonesday.com
17 jlfuchs@jonesday.com

18 Attorneys for Defendants
SAP AG, SAP AMERICA, INC., and
19 TOMORROWNOW, INC.

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 ORACLE CORPORATION, et al.,
24 Plaintiffs,
25 v.
26 SAP AG, et al.,
27 Defendants.
28

Case No. 07-CV-1658 PJH
PROOF OF SERVICE

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

PROOF OF SERVICE

(CCP §§ 1013a, 2015.5)

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN FRANCISCO)

I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within entitled action; my business address is: **555 California Street, 26th Floor, San Francisco, California 94104-1500.**

On **July 8, 2008**, I served the following:

- **DEFENDANTS’ ADMINISTRATIVE MOTION TO FILE THE DECLARATION OF SCOTT W. COWAN IN SUPPORT OF DEFENDANTS’ DOCUMENT REVIEW AND PRODUCTION COSTS UNDER SEAL; DECLARATION OF JOSHUA L. FUCHS IN SUPPORT**
- **[PROPOSED] ORDER GRANTING DEFENDANTS’ ADMINISTRATIVE MOTION TO FILE THE DECLARATION OF SCOTT W. COWAN IN SUPPORT OF DEFENDANTS’ DOCUMENT REVIEW AND PRODUCTION COSTS UNDER SEAL**
- **DECLARATION OF SCOTT W. COWAN IN SUPPORT OF DEFENDANTS’ ESTIMATED DOCUMENT REVIEW AND PRODUCTION COSTS; FILED UNDER SEAL**
- **REDACTED DECLARATION OF SCOTT W. COWAN IN SUPPORT OF DEFENDANTS’ ESTIMATED DOCUMENT REVIEW AND PRODUCTION COSTS; FILED UNDER SEAL**

on the interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

Donn P. Pickett
Geoffrey M. Howard
Holly A. House
Zachary J. Alinder
Bree Hann
BINGHAM McCUTCHEN LLP
Three Embarcadero Center
San Francisco, CA 94111-4067

[] **BY MAIL:** I caused such envelope to be deposited in the mail at San Francisco, California. The envelope was mailed with postage thereon fully prepaid. As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

BY FEDERAL EXPRESS: I placed such envelope for deposit in the Federal Express drop slot for service by Federal Express. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with Federal Express on that same day at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if service is more than one day after date of deposit for express service in affidavit.

BY PERSONAL SERVICE: I caused such envelope to be hand delivered to the office of the addressee on the date specified above.

VIA FACSIMILE: I caused such document(s) to be transmitted from facsimile number (415) 875-5700 to the facsimile machine(s) of the above-listed party(ies) on the date specified above. The transmission(s) was/were reported as complete and without error. The party(ies) has/have agreed in writing to service of the document(s) listed above by facsimile.

STATE I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

FEDERAL I declare that I am employed within the office of a member of the bar of this Court at whose direction the service was made.

Executed on **July 8, 2008**, at San Francisco, California.

/s/
Denise Harmon

SFI-587420v1