

FILED

UNITED STATES COURT OF APPEALS

JAN 14 2013

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ORACLE CORPORATION, a Delaware corporation; et al.,

Plaintiffs-Appellants/  
Cross-Appellees,

v.

SAP AG, a German corporation; et al.,

Defendants-Appellees/  
Cross-Appellants.

No. 12-16944, 12-17053

D.C. No. 4:07-cv-01658-PJH  
Northern District of California,  
Oakland

ORDER

The defendants' unopposed motion for voluntary dismissal of the cross-appeal, case No. 12-17053, is granted. Case No. 12-17053 is dismissed. Fed. R. App. P. 42(b). A copy of this order sent to the district court shall act as and for the mandate of this court as to case No. 12-17053 only.

The plaintiff's opening brief has been filed. The defendants' answering brief is due February 8, 2013. The plaintiffs' optional reply brief is due within 14 days after service of the third cross-appeal brief.

For the Court:  
MOLLY C. DWYER  
Clerk of the Court  
Teresa A. Haugen, Deputy Clerk  
9th Circuit Rules 27-7, 27-10