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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE CORPORATION, et al.,

No. C-07-01658 PJH (EDL)

Plaintiffs,

**ORDER FOLLOWING DISCOVERY  
CONFERENCE**

v.

SAP AG, et al.,

Defendants.

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On February 13, 2009, this Court held a discovery conference in this matter. As stated at the hearing, the Court makes the following order:

1. The deposition of Andrew Nelson shall go forward on the scheduled date of February 26, 2009 regarding documents that were produced in 2008. Mr. Nelson shall be made available for a further deposition in March or April 2009 regarding more recently produced documents.
2. No later than February 23, 2009, Plaintiffs shall respond to the issues raised in Defendants' letter of February 13, 2009.
3. The parties shall meet and confer in an effort to further refine the language in subparagraph (b) of Plaintiffs' Proposal Regarding TN De-Designations, based on the guidance given by the Court regarding third parties and time frames.
4. No later than February 20, 2009, Plaintiffs shall inform Defendants of the witness to be designated and proposed deposition date(s) in response to Defendants' Rule 30(b)(6) Deposition Notice with respect to Oracle International Corporation. Plaintiffs shall make their best efforts to make that person available for deposition within thirty days.

- 1 5. No later than February 20, 2009, Plaintiffs shall inform Defendants of the anticipated dates  
2 for production from Plaintiff's custodians. If after meeting and conferring in good faith, the  
3 parties cannot agree on dates of production, the parties may seek relief from the Court.
- 4 6. No later than February 20, 2009, Plaintiffs shall inform Defendants as to the anticipated date  
5 of production for the PeopleSoft database.
- 6 7. No later than February 18, 2009, Plaintiffs shall provide to Defendants a detailed description  
7 about the relative ease of production of their different charts of accounts, including which  
8 information is archived and what Plaintiffs have done to obtain that archived information,  
9 and reasonable, prompt anticipated dates for a staggered production.
- 10 8. Plaintiffs informed the Court that they intend to send a letter to Defendants in one week  
11 regarding production of PeopleSoft email prior to 2005. Plaintiffs shall include in that letter  
12 any additional detail regarding what email material is archived, the time and expense  
13 involved in retrieving that archived information and whether or not the process for retrieving  
14 the information was successful. If any disputes about this production remain, the parties may  
15 provide a letter to the Court to propose a briefing schedule for a motion to compel.

16 **IT IS SO ORDERED.**

17 Dated: February 13, 2009

*Elizabeth D. Laporte*  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge