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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.

On June 30, 2009, this Court held a discovery conference in this matter. As stated at the hearing, the Court makes the following order:

1. The protective order in this case requires advance notice of a party's intent to use confidential documents at a third party deposition. The parties dispute whether the advance notice requirement applies to Rule 30(b)(6) depositions of third party corporations. As stated at the hearing, with respect to Rule 30(b)(6) depositions of third party corporations, the advance notice requirement can be met where the party offering the documents notifies the opposing party that confidential or highly confidential documents will be used at the deposition, but without disclosure of the specific documents, where the third party already had prior knowledge of documents (e.g., sent or received them).
2. Further discovery conferences are scheduled for August 25, 2009, September 30, 2009 and November 17, 2009 at 2:00 p.m. Joint discovery conference statements shall be filed no later

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than one week before the discovery conference date.

IT IS SO ORDERED.

Dated: July 1, 2009

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge

United States District Court
For the Northern District of California