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SAP AG, SAP AMERICA, INC., and  
18 TOMORROWNOW, INC.

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

22 ORACLE USA, INC., *et al.*,

23 Plaintiffs,

24 v.

25 SAP AG, *et al.*,

26 Defendants.

CASE NO. 07-CV-01658 PJH (EDL)

**PROOF OF SERVICE**

PROOF OF SERVICE

I, Christine Lok, declare:

I am a citizen of the United States and employed in San Francisco, 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, CA 94104. On July 14, 2009, I served a copy of the within document(s):

**DEFENDANTS' ADMINISTRATIVE MOTION TO PERMIT DEFENDANTS TO FILE UNDER SEAL DOCUMENTS SUPPORTING DEFENDANTS' MOTION FOR SANCTIONS AND MOTION TO COMPEL**

**DECLARATION OF ELAINE WALLACE IN SUPPORT OF DEFENDANTS' ADMINISTRATIVE MOTION TO PERMIT DEFENDANTS TO FILE UNDER SEAL DOCUMENTS SUPPORTING DEFENDANTS' MOTION FOR SANCTIONS AND MOTION TO COMPEL**

**[PROPOSED] ORDER GRANTING DEFENDANTS' ADMINISTRATIVE MOTION TO PERMIT DEFENDANTS TO FILE UNDER SEAL DOCUMENTS SUPPORTING DEFENDANTS' MOTION FOR SANCTIONS AND MOTION TO COMPEL**

**STIPULATION TO PERMIT DEFENDANTS TO FILE DOCUMENTS UNDER SEAL IN SUPPORT OF DEFENDANTS' MOTION FOR SANCTIONS AND MOTION TO COMPEL**

**DEFENDANTS' MOTION FOR SANCTIONS PURSUANT TO FED. R. CIV. P. 37(c) AND 16(f)**

**DECLARATION OF ELAINE WALLACE IN SUPPORT OF DEFENDANTS' MOTION FOR SANCTIONS PURSUANT TO FED. R. CIV. P. 37(c) AND 16(f)**

**DECLARATION OF STEPHEN K. CLARKE IN SUPPORT OF DEFENDANTS' MOTION FOR SANCTIONS PURSUANT TO FED. R. CIV. P. 37(C) AND 16(F); FILED UNDER SEAL**

**DEFENDANTS' MOTION TO COMPEL PRODUCTION OF FINANCIAL INFORMATION FROM PLAINTIFFS; FILED UNDER SEAL**

**DECLARATION OF JASON McDONELL IN SUPPORT OF DEFENDANTS' MOTION TO COMPEL PRODUCTION OF FINANCIAL INFORMATION OF PLAINTIFFS; EXS. 2, 6, 7, 8, 9, 10, 11, 18 & 19 FILED UNDER SEAL**

- 1  by transmitting via facsimile the document(s) listed above to the fax number(s) set  
2 forth below on this date before 5:00 p.m.
- 3  by placing the document(s) listed above in a sealed envelope with postage thereon  
4 fully prepaid, in the United States mail at San Francisco, California addressed as  
5 set forth below.
- 6  by personally delivering the document(s) listed above to the person(s) at the  
7 address(es) set forth below.
- 8  by transmitting via e-mail or electronic transmission the document(s) listed above  
9 to the person(s) at the e-mail address(es) set forth below.

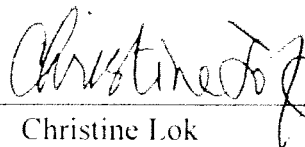
8 ~~Donn P. Pickett~~  
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21 Attorneys for Plaintiffs  
 22 Oracle Corporation, Oracle USA, Inc.,  
 23 and Oracle International Corporation

24 I am readily familiar with the firm's practice of collection and processing correspondence  
 25 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same  
 26 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on  
 27 motion of the party served, service is presumed invalid if postal cancellation date or postage  
 28 meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose  
 direction the service was made.

Executed on July 14, 2009, San Francisco, California.

  
 Christine Lok