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

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

21 ORACLE USA, INC., et al.,
22 Plaintiffs,
23 v.
24 SAP AG, et al.,
25 Defendants.

Case No. 07-CV-1658 PJH (EDL)

**DECLARATION OF THARAN GREGORY
LANIER ISO DEFENDANTS'
ADMINISTRATIVE MOTION TO PERMIT
DEFENDANTS TO FILE UNDER SEAL
PLAINTIFFS' INFORMATION DISCLOSED
IN DEFENDANTS' ANSWER AND
AFFIRMATIVE DEFENSES TO FOURTH
AMENDED COMPLAINT**

1 I, THARAN GREGORY LANIER, declare:

2 1. I am a partner in the law firm of Jones Day, 1755 Embarcadero Road, Palo Alto,
3 California 94303, and counsel of record for Defendants SAP AG, SAP America, Inc. and
4 TomorrowNow, Inc. (collectively, "Defendants") in the above-captioned action. I am a member
5 in good standing of the state bar of California and admitted to practice before this Court. I make
6 this declaration based on personal knowledge and, if called upon to do so, could testify
7 competently thereto.

8 2. Pursuant to Civil Local Rule 79-5 and the stipulated Protective Order entered on
9 June 6, 2007 in this case, I make this Declaration in support of Defendants' Administrative
10 Motion to Permit Defendants to File Under Seal Plaintiffs' Information Disclosed in Defendants'
11 Answer and Affirmative Defenses to Fourth Amended Complaint.

12 3. Defendants' file this motion at Plaintiffs' request. The requested relief is
13 necessary and narrowly tailored to protect the alleged confidentiality of the materials put at issue
14 by Defendants' Answer and Affirmative Defenses to Fourth Amended Complaint ("Answer"),
15 until such time as Plaintiffs may submit a declaration in accordance with Civil Local Rule 79-5(d),
16 and the Court makes a final ruling as to confidentiality of the relevant subject matter. Specifically,
17 a portion of paragraph 13 of the Answer filed and lodged with the Court contains information
18 designated by Plaintiffs as "Confidential Information."

19 I declare under penalty of perjury under the laws of the United States and the State of
20 California that the foregoing is true and correct. Executed this 26th day of August, 2009 in Palo
21 Alto, California.

22 /s/ Tharan Gregory Lanier
23 Tharan Gregory Lanier

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