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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
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-1658 PJH (EDL)

**[PROPOSED] ORDER GRANTING
DEFENDANTS' ADMINISTRATIVE
MOTION TO PERMIT
DEFENDANTS TO FILE UNDER
SEAL PLAINTIFFS' DOCUMENTS
SUPPORTING DEFENDANTS'
MOTION FOR PARTIAL SUMMARY
JUDGMENT REGARDING
PLAINTIFFS' HYPOTHETICAL
LICENSE DAMAGES CLAIM**

1 Having considered Defendants' Administrative Motion to File Under Seal Plaintiffs'
2 Documents Supporting Defendants' Motion for Partial Summary Judgment Regarding Plaintiffs'
3 Hypothetical License Damages Claim, supporting declaration of Tharan Gregory Lanier,
4 Stipulation to Permit Defendants to File Under Seal, Defendants' Motion for Partial Summary
5 Judgment Regarding Plaintiffs' Hypothetical License Damages Claim ("Motion for Partial
6 Summary Judgment"), the Declaration of Tharan Gregory Lanier in Support of Defendants'
7 Motion for Partial Summary Judgment ("Lanier Declaration") and Exhibits A, B, C and H to the
8 Lanier Declaration, that were lodged with the Court on August 26, 2009:

9 IT IS HEREBY ORDERED THAT: Defendants' motion is GRANTED. The Clerk of the
10 Court shall file under seal the following documents and portions of documents:

- 11 • The following portions of Exhibit A to the Lanier Declaration: 10:1-11:17, 19:23-
12 20:25, 25:19-27:15, 46:6-47:15, 158:13-160:2;
- 13 • The following portions of Exhibit B to the Lanier Declaration: 117:9-120:18;
- 14 • The following portions of Exhibit C to the Lanier Declaration: 73:25-84:6, 114:16-24;
- 15 • The following portions of Exhibit H to the Lanier Declaration: portions of page 47,
16 line 20; page 48, lines 9 and 12; and page 49, line 27; and
- 17 • The following portions of the Motion for Partial Summary Judgment: the requested
18 portions of 1:19-20, 1:24, 2:13-17, 3:11, 3:13-14, 4:10-12, 4:15-19, 4:20-24, 5:26-28,
19 6:1-8, 11:14, 11:18-19, 11:21-22, 11:24-27, 12:12-13, 13:15-16, 13:18-19, 14:4-6,
20 16:18-19 and 20:10.

21
22 DATED: _____

By: _____
Hon. Phyllis J. Hamilton