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

ORACLE CORPORATION, et al.,

Plaintiffs,

v.

SAP AG, et al.,

Defendants.

No. C-07-01658 PJH (EDL)

**ORDER FOLLOWING DISCOVERY
CONFERENCE**

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

1. No later than October 7, 2009, Defendants will provide declarations regarding the search efforts for supervisory board documents.
2. The Court approves the parties' stipulation that Defendants' response to interrogatory 13 was due on September 23, 2009, and Defendants' response to interrogatory 14 shall be provided no later than October 9, 2009.
3. Plaintiffs have leave to file a discovery motion regarding Defendants' responses to interrogatories and requests for production of documents to be heard on November 24, 2009. This motion shall not include Plaintiffs' concerns about assumptions that they believe Defendants made in their responses, specifically that responsive material "should" be available in Defendants' document production, and that TomorrowNow actually followed the

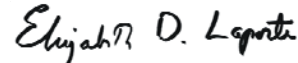
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stated policies regarding building environments. As stated at the hearing, the parties shall meet and confer about the assumption issue.

4. Plaintiffs have leave to file a discovery motion regarding Defendants' responses to requests for admission to be heard on December 15, 2009. The motion regarding requests for admissions should address the parties' disputes by category of requests rather than request by request.

IT IS SO ORDERED.

Dated: October 5, 2009



ELIZABETH D. LAPORTE
United States Magistrate Judge