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

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 OAKLAND 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)
PROOF OF SERVICE

1 I, Shirley Nakano-McSwain, declare:

2 I am a citizen of the United States and employed in Santa Clara County, California. I am
3 over the age of eighteen years and not a party to the within-entitled action. My business address
4 is 1755 Embarcadero Road, Palo Alto, California 94303. On October 7, 2009, I served a copy of
5 the attached document(s):

6 **REPLY TO PLAINTIFFS’ OPPOSITION TO DEFENDANTS’**
7 **MOTION FOR SUMMARY JUDGMENT REGARDING**
8 **PLAINTIFFS’ HYPOTHETICAL LICENSE DAMAGES**
9 **CLAIM [DOCUMENT SUBMITTED UNDER SEAL]**

- 10 by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery.
- 11 by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

12
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26 Executed on October 7, 2009, at Palo Alto, California.

27 By: /s/ Shirley Nakano-McSwain
28 Shirley Nakano-McSwain