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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 OAKLAND DIVISION

19 ORACLE USA, INC., *et al.*,  
 20 Plaintiffs,  
 21 v.  
 22 SAP AG, *et al.*,  
 23 Defendants.

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

**[PROPOSED] ORDER GRANTING  
 PLAINTIFFS' ADMINISTRATIVE  
 MOTION TO PERMIT PLAINTIFFS  
 TO FILE UNDER SEAL  
 DEFENDANTS' INFORMATION  
 SUPPORTING PLAINTIFFS'  
 OPPOSITION TO DEFENDANTS'  
 MOTION FOR PARTIAL  
 SUMMARY JUDGMENT**

1 Pending before this Court is Plaintiffs' Administrative Motion to Permit Plaintiffs  
 2 to File Under Seal Defendants' Information Supporting Plaintiffs' Opposition to Defendants'  
 3 Motion for Partial Summary Judgment (the "Motion to Seal"). Through the Motion to Seal and  
 4 supporting documents, Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle  
 5 EMEA Limited, and Siebel Systems, Inc. (collectively, "Oracle"), together with SAP AG, SAP  
 6 America, Inc., and TomorrowNow, Inc. (collectively, "Defendants," and with Oracle, the  
 7 "Parties"), request an Order sealing (1) Excerpts from Defendants' document entitled "SAP AG,  
 8 Fair Value of Certain Assets, Liabilities and Legal Entities of Business Objects S.A. As of  
 9 January 21, 2008," produced in this litigation as Bates Numbers SAP-OR 00802513-517 and  
 10 attached as Exhibit 44 to the Declaration of Paul K. Meyer in Support of Plaintiffs' Opposition to  
 11 Defendants' Motion for Partial Summary Judgment ("Meyer Declaration"), as well as the  
 12 corresponding text in Paragraph 40(b) of the Meyer Declaration; and (2) Portions of Plaintiffs'  
 13 Opposition to Defendants' Motion for Partial Summary Judgment Regarding Plaintiffs'  
 14 Hypothetical [Fair Market Value] License Damages at 22:13-14 and Portions of the Declaration  
 15 of Lawrence Ellison at 3:21-23 referencing payments made pursuant to the database reseller's  
 16 agreement between the parties.

17 Having considered Plaintiffs' Motion to Seal and the documents filed in support,  
 18 IT IS HEREBY ORDERED THAT: Plaintiffs' Motion to Seal is GRANTED. The Clerk of the  
 19 Court shall file under seal the unredacted versions of the following documents that were lodged  
 20 with the Court on September 23, 2009: Plaintiffs' Opposition to Defendants' Motion for Partial  
 21 Summary Judgment Regarding Plaintiffs' Hypothetical [Fair Market Value] License Damages,  
 22 Declaration of Paul K. Meyer in Support of Plaintiffs' Opposition to Defendants' Motion for  
 23 Partial Summary Judgment ("Meyer Declaration"), Exhibit 44 to the Meyer Declaration, and the  
 24 Declaration of Lawrence Ellison.

25 DATED: November 2, 2009

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Hon. \_\_\_\_\_  
 United States District Judge

