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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)

**DEFENDANTS' ADMINISTRATIVE
MOTION TO PERMIT
DEFENDANTS TO FILE UNDER
SEAL PLAINTIFFS' DOCUMENTS'
SUPPORTING DEFENDANTS'
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

1 Pursuant to Local Rules 7-11(a) and 79-5(c), Plaintiffs Oracle USA, Inc., Oracle
2 International Corporation, Oracle EMEA Limited, and Siebel Systems, Inc. (“Plaintiffs”) and
3 Defendants SAP AG, SAP America, Inc., and TomorrowNow, Inc. (“Defendants,” and together
4 with Plaintiffs, the “Parties”) request that the Court order the Clerk of the Court to file under seal,
5 at Plaintiffs’ request: (1) portions of Defendants’ Motion for Partial Summary Judgment (“Motion
6 for Partial Summary Judgment”), (2) portions of the Declaration of Tharan Gregory Lanier in
7 Support of Defendants’ Motion for Partial Summary Judgment (“Lanier Declaration”), (3)
8 Exhibits D, E, and H to the Lanier Declaration, (4) portions of Exhibits A, B, and F to the Lanier
9 Declaration, (5) portions of the Declaration of Elaine Wallace in Support of Defendants’ Fed. R.
10 Evid. 1006 Summary of Evidence (“Wallace Declaration”), and (6) Exhibit 1 to the Wallace
11 Declaration, which Defendants lodged with the Court on March 3, 2010.

12 The requested relief sought is necessary and narrowly tailored to protect the alleged
13 confidentiality of the content of Plaintiffs’ documents put at issue by the Motion for Partial
14 Summary Judgment. This request is supported by the Stipulation and Declaration of Tharan
15 Gregory Lanier in support of Defendants’ Administrative Motion to File Under Seal, attached.

16 Pursuant to Local Rule 79-5, a proposed order and stipulation accompanies this request to
17 file portions of the Motion for Partial Summary Judgment, as well as portions of declarations and
18 exhibits in support thereof, under seal.

19 DATED: March 3, 2010

JONES DAY

21 By: /s/ Tharan Gregory Lanier
22 Tharan Gregory Lanier

23 Attorneys for Defendants
24 SAP AG, SAP AMERICA, INC., and
25 TOMORROWNOW, INC.