

1 Robert A. Mittelstaedt (SBN 060359)
Jason McDonell (SBN 115084)
2 Elaine Wallace (SBN 197882)
JONES DAY
3 555 California Street, 26th Floor
San Francisco, CA 94104
4 Telephone: (415) 626-3939
Facsimile: (415) 875-5700
5 ramittelstaedt@jonesday.com
jmcdonell@jonesday.com
6 ewallace@jonesday.com

7 Tharan Gregory Lanier (SBN 138784)
Jane L. Froyd (SBN 220776)
8 JONES DAY
1755 Embarcadero Road
9 Palo Alto, CA 94303
Telephone: (650) 739-3939
10 Facsimile: (650) 739-3900
tglanier@jonesday.com
11 jfroyd@jonesday.com

12 Scott W. Cowan (Admitted *Pro Hac Vice*)
Joshua L. Fuchs (Admitted *Pro Hac Vice*)
13 JONES DAY
717 Texas, Suite 3300
14 Houston, TX 77002
Telephone: (832) 239-3939
15 Facsimile: (832) 239-3600
swcowan@jonesday.com
16 jlfuchs@jonesday.com

17 Attorneys for Defendants
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)

**DEFENDANTS' ADMINISTRATIVE
MOTION TO PERMIT
DEFENDANTS TO FILE UNDER
SEAL PLAINTIFFS' DOCUMENT IN
SUPPORT OF DEFENDANTS'
MOTIONS IN LIMINE**

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: portions of Exhibit K to the Declaration of Jason McDonell in Support of
6 Defendants’ Motions in Limine (“Exhibit K”), which Defendants will lodge with the Court on
7 August 6, 2010.

8 The requested relief sought is necessary and narrowly tailored to protect the alleged
9 confidentiality of the content of Plaintiffs’ document put at issue by Defendants’ Motions in
10 Limine. This request is supported by the Stipulation and Declaration of Jason McDonell in
11 support of Defendants’ Administrative Motion to File Under Seal.

12 Pursuant to Local Rule 79-5, a proposed order and stipulation accompanies this request to
13 file under seal portions of Exhibit K.

14 DATED: August 5, 2010

JONES DAY

15
16 By: /s/ Tharan Gregory Lanier
17 Tharan Gregory Lanier

18 Attorneys for Defendants
19 SAP AG, SAP AMERICA, INC., and
20 TOMORROWNOW, INC.