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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' LIST OF OTHER
DISCOVERY RESPONSES FOR USE
AT TRIAL**

1 Defendants submit the attached list of other discovery responses for use at trial. *See*
2 Exhibit "A," which is attached hereto and incorporated by reference as if fully set forth herein.
3 The attached list of other discovery responses for use at trial are based on the claims and defenses
4 currently asserted in this case and may be updated in light of the parties' ongoing efforts to
5 streamline trial and depending on the Court's rulings on pending motions for summary judgment,
6 motions in limine and *Daubert* motions.

7 Dated: August 5, 2010

Respectfully submitted,

8 Jones Day

9
10 By: /s/ Tharan Gregory Lanier
11 Tharan Gregory Lanier

12 Attorneys for Defendants
13 SAP AG, SAP AMERICA, INC., and
14 TOMORROWNOW, INC.
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EXHIBIT A

ORACLE USA, INC. ET AL. v SAP AG ET AL.
USDC -- NORTHERN DIST. OF CALIFORNIA
Case No. C 07 1658 PJH (EDL)

DEFENDANTS' DESIGNATIONS OF DISCOVERY RESPONSES

Request	Response	No.
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	15
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	16
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	18
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	19
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Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	22
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	23
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	24
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	25
Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	26
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Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	33
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Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	51
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Defendants' Second Set of Requests for Admission to Plaintiffs (Nos. 9-149) [Served 4/1/09]	Plaintiffs' Responses and Objections to Defendants' Second Set of Requests for Admissions [Served 5/1/09]	149
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Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	167
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	168
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	171
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	172
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	175
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Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	180
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	183
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	184
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Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	203
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	204
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	207
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	208
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Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	215
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	216
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	219
Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Responses to Defendants' Third Set of Requests for Admission [Served 12/4/09]	220
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Defendants' Third Set of Requests for Admission to Plaintiffs (Nos. 150-809) [Served 11/2/09]	Plaintiffs' Amended Responses to Defendants' Third Set of Requests for Admission [Served 12/8/09]	740
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Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	828
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Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	842
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Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	845
Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	846
Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	848
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Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	859
Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	860
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Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	899
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Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	911
Defendants' Fourth Set of Requests for Admission to Plaintiffs (Nos. 810-915) [Served 11/2/09]	Plaintiffs' Objections and Responses to Defendants' Fourth Set of Requests for Admission [Served 12/4/09]	912
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