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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)
**[PROPOSED] ORDER DENYING
PLAINTIFFS' MOTIONS IN LIMINE**

1 Having considered Plaintiffs' Motions in Limine (D.I. 737), the supporting declaration of
2 Thomas S. Hixson (D.I. 738), and exhibits attached thereto, which were filed with the Court on
3 August 5, 2010, and having considered Defendants' Oppositions to Plaintiffs' Motions in Limine,
4 the supporting declaration of Tharan Gregory Lanier, and exhibits attached thereto, which were
5 filed with the Court on August 19, 2010:

6 IT IS HEREBY ORDERED THAT:

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8 1. Plaintiffs' Motion in Limine No. 1: Implied But Unpled Advice of Counsel
9 Defense is:

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11 GRANTED

12 *or,*

13 DENIED

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15 2. Plaintiffs' Motion in Limine No. 2: Selective Attorney-Client Communications is:

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17 GRANTED

18 *or,*

19 DENIED

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21 3. Plaintiffs' Motion in Limine No. 3: Customer Statements in At-Risk Reports is:

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23 GRANTED

24 *or,*

25 DENIED

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4. Plaintiffs’ Motion in Limine No. 4: Evidence of Settlement Discussions is:

GRANTED

or,

DENIED

5. Plaintiffs’ Motion in Limine No. 5: Evidence Not in Interrogatory Responses is:

GRANTED

or,

DENIED

6. Plaintiffs’ Motion in Limine No. 6: Hearsay Concerning Lockheed Martin is:

GRANTED

or,

DENIED

7. Plaintiffs’ Motion in Limine No. 7: Evidence of Other Litigation is:

GRANTED

or,

DENIED

8. Plaintiffs’ Motion in Limine No. 8: Untimely Deposition Designations is:

GRANTED

or,

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DENIED

IT IS SO ORDERED.

DATED: _____

By: _____

Hon. Phyllis J. Hamilton
United States District Court Judge