

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' DOCUMENTS
IN SUPPORT OF DEFENDANTS'
DAUBERT MOTIONS AND
OPPOSITIONS TO PLAINTIFFS'
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: (1) portions of Defendants’ Motion to Exclude Expert Testimony of Paul K.
 6 Meyer, (2) portions of Exhibits 1, 3, 5, 6, and 20 to the Declaration of Elaine Wallace in Support
 7 of Defendants’ Motion to Exclude Expert Testimony of Paul K. Meyer (“Wallace Decl.”), (3)
 8 portions of Defendants’ Oppositions to Plaintiffs’ Motions in Limine, and (4) portions of Exhibits
 9 13, 21, 22, 23, and 31 to the Declaration of Tharan Gregory Lanier in Support of Defendants’
 10 Oppositions to Plaintiffs’ Motions in Limine (“Lanier Decl.”), which Defendants will lodge with
 11 the Court on August 20, 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 Defendants’ Motion to
 14 Exclude Expert Testimony of Paul K. Meyer and Defendants’ Oppositions to Plaintiffs’ Motions
 15 in Limine. This request is supported by the accompanying Stipulation and Declaration of Tharan
 16 Gregory Lanier in support of Defendants’ Administrative Motion to File Under Seal.

17 Pursuant to Local Rule 79-5, a proposed order and stipulation accompanies this request to
 18 file under seal (1) portions of Defendants’ Motion to Exclude Expert Testimony of Paul K.
 19 Meyer, (2) portions of Exhibits 1, 3, 5, 6, and 20 to the Wallace Decl., (3) portions of Defendants’
 20 Oppositions to Plaintiffs’ Motions in Limine, and (4) portions of Exhibits 13, 21, 22, 23, and 31
 21 to the Lanier Decl.

22 DATED: August 19, 2010

JONES DAY

24 By: /s/ Tharan Gregory Lanier
 25 Tharan Gregory Lanier

26 Attorneys for Defendants
 27 SAP AG, SAP AMERICA, INC., and
 28 TOMORROWNOW, INC.