

1 Robert A. Mittelstaedt (SBN 060359)  
Jason McDonell (SBN 115084)  
2 Elaine Wallace (SBN 197882)  
JONES DAY  
3 555 California Street, 26<sup>th</sup> 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 jl fuchs@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)  
**PROOF OF SERVICE**

1 I, Shirley Nakano-McSwain, declare:

2 I am a citizen of the United States and employed in Santa Clara County, California. I am  
3 over the age of eighteen years and not a party to the within-entitled action. My business address  
4 is 1755 Embarcadero Road, Palo Alto, California 94303.

5 I served a copy of the attached document(s):

6 DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY OF PAUL  
7 K. MEYER [SUBMITTED UNDER SEAL]

8 DEFENDANTS' OPPOSITIONS TO PLAINTIFFS' MOTIONS IN LIMINE  
[SUBMITTED UNDER SEAL]

9 EXHIBIT 13 TO THE DECLARATION OF THARAN GREGORY LANIER  
10 ISO DEFENDANTS' OPPOSITIONS TO PLAINTIFFS' MOTIONS IN LIMINE  
[SUBMITTED UNDER SEAL]

11 EXHIBIT 21 TO THE DECLARATION OF THARAN GREGORY LANIER  
12 ISO DEFENDANTS' OPPOSITIONS TO PLAINTIFFS' MOTIONS IN LIMINE  
[SUBMITTED UNDER SEAL]

13 EXHIBIT 22 TO THE DECLARATION OF THARAN GREGORY LANIER  
14 ISO DEFENDANTS' OPPOSITIONS TO PLAINTIFFS' MOTIONS IN LIMINE  
[SUBMITTED UNDER SEAL]

15 EXHIBIT 23 TO THE DECLARATION OF THARAN GREGORY LANIER  
16 ISO DEFENDANTS' OPPOSITIONS TO PLAINTIFFS' MOTIONS IN LIMINE  
[SUBMITTED UNDER SEAL]

17 EXHIBIT 31 TO THE DECLARATION OF THARAN GREGORY LANIER  
18 ISO DEFENDANTS' OPPOSITIONS TO PLAINTIFFS' MOTIONS IN LIMINE  
[SUBMITTED UNDER SEAL]

19 EXHIBIT 1 TO THE DECLARATION OF ELAINE WALLACE IN SUPPORT  
20 OF DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY OF  
PAUL K. MEYER [SUBMITTED UNDER SEAL]

21 EXHIBIT 3 TO THE DECLARATION OF ELAINE WALLACE IN SUPPORT  
22 OF DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY OF  
PAUL K. MEYER [SUBMITTED UNDER SEAL]

23 EXHIBIT 5 TO THE DECLARATION OF ELAINE WALLACE IN SUPPORT  
24 OF DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY OF  
PAUL K. MEYER [SUBMITTED UNDER SEAL]

25 EXHIBIT 6 TO THE DECLARATION OF ELAINE WALLACE IN SUPPORT  
26 OF DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY OF  
PAUL K. MEYER [SUBMITTED UNDER SEAL]

27 EXHIBIT 20 TO THE DECLARATION OF ELAINE WALLACE IN SUPPORT  
28 OF DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY OF  
PAUL K. MEYER [SUBMITTED UNDER SEAL]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below on August 20, 2010.

by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery on August 20, 2010.

Donn P. Pickett  
Geoffrey M. Howard  
Holly A. House  
Zachary J. Alinder  
Bree Hann  
BINGHAM McCUTCHEN LLP  
Three Embarcadero Center  
San Francisco, CA 94111-4067  
donn.pickett@bingham.com  
geoff.howard@bingham.com  
holly.house@bingham.com  
zachary.alinder@bingham.com  
bree.hann@bingham.com

David Boies  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, NY 10504  
dboies@bsflp.com

Steven C. Holtzman  
BOIES, SCHILLER & FLEXNER LLP  
1999 Harrison St., Suite 900  
Oakland, CA 94612  
sholtzman@bsflp.com

Executed on August 20, 2010, at Palo Alto, California.

/s/ Shirley Nakano-McSwain  
\_\_\_\_\_  
Shirley Nakano-McSwain