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ORACLE AMERICA, INC.

19 **UNITED STATES DISTRICT COURT**
20 **NORTHERN DISTRICT OF CALIFORNIA**
21 **SAN FRANCISCO DIVISION**

22 ORACLE AMERICA, INC.
23 Plaintiff,
24 v.
25 GOOGLE, INC.
26 Defendant.

Case No. CV 10-03561 WHA
**ORACLE AMERICA, INC.'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL EXHIBITS TO MEREDITH
DEARBORN'S DECLARATION IN
SUPPORT OF ORACLE AMERICA,
INC.'S MOTION TO EXCLUDE
PORTIONS OF THE RULE 706 EXPERT
REPORT OF DR. JAMES KEARL**

Dept.: Courtroom 4, 3rd Floor
Judge: Honorable William H. Alsup

1 Pursuant to Local Rule 79-5(d), Plaintiff Oracle America, Inc. (“Oracle”) hereby moves to file
2 Exhibits A and B to the Declaration of Meredith Dearborn In Support of Oracle’s Motion to Exclude
3 Portions of the Rule 706 Expert Report of Dr. James Kearl (“Dearborn Declaration”), and portions of
4 the Motion to Exclude Portions of the Rule 706 Expert Report of Dr. James Kearl that refer to those
5 exhibits, under seal.

6 The Order Approving Stipulated Protective Order Subject to Stated Conditions entered in this
7 case (Dkt. No. 68) states that when material has been designated as Confidential or Highly Confidential
8 – Attorneys’ Eyes Only, a party may not file it in the public record, but must seek to file it under seal
9 pursuant to Local Rule 79-5. (December 17, 2010 Stipulated Protective Order (Docket No. 66) § 14.4.)
10 Google, Inc. (“Google”) has designated Exhibits A and B Confidential or Highly Confidential –
11 Attorneys’ Eyes Only by Google, Inc. (“Google”), thus Oracle moves to seal them pursuant to the
12 protective order.

13 Oracle requested that Google agree to file these materials in the public record, but Google’s
14 counsel refused. (Dearborn Decl. ¶ 5.)

15 Oracle states no position as to whether disclosure of these materials would cause harm to
16 Google.

17
18 Dated: May 1, 2012

BOIES, SCHILLER & FLEXNER LLP

19 By: /s/ Steven C. Holtzman
20 Steven C, Holtzman

21 *Attorneys for Plaintiff*
ORACLE AMERICA, INC.