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ORACLE AMERICA, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE, INC.

Defendant.

Case No. CV 10-03561 WHA

**DECLARATION OF MEREDITH DEARBORN
IN SUPPORT OF ORACLE AMERICA, INC.'S
MOTION TO EXCLUDE PORTIONS OF THE
RULE 706 EXPERT REPORT OF DR. JAMES
KEARL**

Dept.: Courtroom 8, 19th Floor
Judge: The Honorable William Alsup

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I, Meredith Dearborn, declare as follows:

1. I am an associate with the law firm of Boies, Schiller & Flexner LLP, attorneys for plaintiff Oracle America, Inc. in the above captioned matter, and admitted to practice before this Court.

2. I make this declaration based on my own personal knowledge. If called as a witness, I could and would testify competently as to the matters set forth herein.

3. Attached hereto as **Exhibit A** is a true and correct copy of the Expert Report of Dr. Alan J. Cox as updated on April 27, 2012. **[SUBMITTED UNDER SEAL]**

4. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the deposition transcript of Andrew Rubin, dated April 15, 2012. **[SUBMITTED UNDER SEAL]**

5. I requested that Google agree to file these two exhibits in the public record, but Google's counsel refused.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 1, 2012 at San Francisco, California.

By: /s/ Meredith Dearborn
Meredith Dearborn

ATTESTATION OF FILER

I, Steven C. Holtzman, have obtained Meredith Dearborn's concurrence to file this document on her behalf.

Dated: May 1, 2012

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Steven C. Holtzman
Steven C. Holtzman

Attorneys for Plaintiff
ORACLE AMERICA, INC.

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EXHIBIT A

**FILED UNDER SEAL
PURSUANT TO THE
PROTECTIVE ORDER**

EXHIBIT B

**FILED UNDER SEAL
PURSUANT TO THE
PROTECTIVE ORDER**