[counsel listed on signature page]

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 **STIPULATION AND [PROPOSED] ORDER RE CASE MANAGEMENT AND PHASE 3 ISSUES** Dept.: Courtroom 8, 19th Floor Judge: Honorable William Alsup

To simplify the proceedings in this matter, the parties hereby stipulate and agree to the following:

Subject to Court approval, the issue of willfulness with respect to patent infringement will be submitted to the jury in Phase 2 of this trial. Should Oracle introduce additional evidence relating to willfulness, Google will have the right to introduce additional responsive evidence. Both shall be subject to the time limits previously set for Phase 2.

[PROPOSED] ORDER

The foregoing stipulation is approved, and IT IS SO ORDERED.

Date: _____

_____
Honorable William Alsup
Judge of the United States District Court

Dated: May 13, 2012

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ATTESTATION

I, Robert A. Van Nest, am the ECF User whose ID and password are being used to file this STIPULATION RE CASE MANAGEMENT AND PHASE 3 ISSUES. In compliance with General Order 45, X.B., I hereby attest that Michael Jacobs has concurred in this filing.

Date: May 13, 2012

/s/ Robert A. Van Nest
ROBERT A. VAN NEST