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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 ORACLE AMERICA, INC.,

12 Plaintiff,

13 v.

14 GOOGLE INC.,

15 Defendant.
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Case No. 3:10-cv-03561-WHA

Honorable Judge William Alsup

**STIPULATION AND [PROPOSED]
ORDER REGARDING BRIEFING
SCHEDULE**

STIPULATION REGARDING BRIEFING SCHEDULE

Plaintiff Oracle America, Inc. (“Oracle”) and defendant Google Inc. (“Google”), by and through their undersigned counsel, hereby STIPULATE AND AGREE as follows, subject to the approval of the Court:

WHEREAS, Oracle has served its damages report referred to in paragraph 9 of the Case Management Order dated November 18, 2010 (the “Damages Report”); and

WHEREAS, the parties have conferred and have agreed to the briefing schedule set forth below for any *Daubert* or other motion directed to the Damages Report;

NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED by and between Oracle and Google, through their undersigned counsel, as follows:

- 1. Google shall file any *Daubert* or other motion directed at the methodology, reliability or other defect of the Damages Report on or before **Tuesday, June 7, 2011**.
- 2. Google will notice for **Thursday, July 14, 2011 at 2:00 p.m.** any motion filed in accordance with paragraph 1.
- 3. Oracle shall file any opposition or other response to such motion on or before **Tuesday, June 21, 2011**.
- 4. Google shall file any reply in support of such motion on or before **Tuesday, June 28, 2011**.

ORDER

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

Dated: June ____, 2011

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

1 DATED: June 1, 2011

By: /s/ Steven C. Holtzman

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1 DATED: June 1, 2011

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