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 GOOGLE INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,  
  
 Plaintiff,  
  
 v.  
  
 GOOGLE INC.,  
  
 Defendant.

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

**REPLY DECLARATION OF DANIEL  
 BORNSTEIN IN SUPPORT OF  
 DEFENDANT GOOGLE INC.'S MOTION  
 FOR SUMMARY JUDGMENT ON  
 COUNT VIII OF PLAINTIFF ORACLE  
 AMERICA'S AMENDED COMPLAINT**

Judge: Hon. William Alsup

Hearing: 2:00 p.m., September 15, 2011

*DB B/2/2/11*

1 I, Daniel Bornstein, declare as follows:

2 1. I am the same Daniel Bornstein who submitted an August 1, 2011 Declaration in  
3 support of Defendant Google Inc.'s Motion for Summary Judgment on Count VIII of Plaintiff  
4 Oracle America, Inc.'s Amended Complaint. I submit this reply declaration in support of  
5 Defendant Google Inc.'s Motion for Summary Judgment on Count VIII of Plaintiff Oracle  
6 America, Inc.'s Amended Complaint. I make this declaration based on my own personal  
7 knowledge. If called as a witness, I could and would testify competently to the matters set forth  
8 herein.

9 2. In my August 1, 2011 Declaration, I stated that eight files—AclEntryImpl.java;  
10 AclImpl.java; GroupImpl.java; OwnerImpl.java; PermissionImpl.java; PrincipalImpl.java;  
11 PolicyNodeImpl.java; and AclEnumerator.java—had been removed from the Android platform.  
12 These files were not replaced by anything else. I know this to be true because I am the person  
13 who removed them, and I did not replace them with anything else.

14 3. In my August 1, 2011 Declaration, I stated that certain comments in two files—  
15 CodeSourceTest.java; and CollectionCertStoreParametersTest.java—had been removed from  
16 those files. These comments were not replaced by anything else. I know this to be true because  
17 I am the person who removed them, and I did not replace them with anything else.

18  
19 I declare under penalty of perjury that the foregoing facts are true and correct.

20 Executed on August 29, 2011 in Mountain View, California.

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Daniel Bornstein 8/29/2011