UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, *et al.*, Plaintiffs, v. ORACLE CORPORATION, Defendant.	CASE NO. C 04-0807 VRW **STIPULATION REGARDING AUTHENTICITY AND ADMISSIBILITY OF DOCUMENTS**

The parties to the above-entitled action, having met and conferred, and upon determining that good cause exists for the foregoing, hereby stipulate as follows:

1. Documents produced to a party to this action by another party or a third party in response to compulsory process (e.g., subpoena, Civil Investigative Demand), a document request served upon a party pursuant to Fed. R. Civ. P. 34, or otherwise in connection with Plaintiffs' investigation of this transaction shall be deemed authentic for the purposes of this lawsuit only, absent good cause. Good cause would include issues relating to the completeness of the document (e.g., missing or incomplete pages) or any conditions in the actual document or the manner in which it was produced that brings into question whether the document was actually generated by the relevant party or third-party.

2. Documents produced to a party to this action by another party or third party in response to compulsory process (e.g., subpoena, Civil Investigative Demand), a document request served upon a party pursuant to Fed. R. Civ. P. 34, or otherwise in connection with Plaintiffs' investigation of this transaction that were generated by the party or third party that produced such documents, or by that party's or third-party's agent, shall be presumed admissible

for the purposes of this lawsuit only, absent good cause. This provision shall not apply to analysts' reports regarding the industry at issue. Good cause would include circumstances under which the source of the information featured in the document or the circumstances of its preparation indicate a lack of trustworthiness (as noted in Fed. R. Evid. 803(6)). To the extent a document would be considered admissible under this stipulation, both sides would still retain the right to argue that a particular document contains hearsay within hearsay that is not admissible.

SO STIPULATED.

Dated: June 10, 2004

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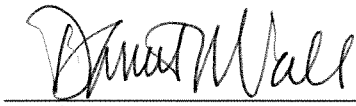

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