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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

17 OVERTURE SERVICES, INC.,
 Plaintiff and Counterdefendant,
 18
 v.
 19 GOOGLE INC.,
 Defendant and Counterclaimant.

E-Filing Case No.: 02-01991 JSW (EDL)

**[PROPOSED] ORDER DENYING
 DEFENDANT GOOGLE INC.'S
 MOTION TO COMPEL [CORRECTED
 MOTION] PRODUCTION OF
 DOCUMENTS AND TESTIMONY RE:
 PROSECUTION OF THE '361 PATENT**

Hearing Date: August 10, 2004
 Hearing Time: 9:00 a.m.
 Hon. Elizabeth D. Laporte

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 24 The motion of Defendant Google Inc. (“Google”) for an order compelling privileged
 25 documents and testimony concerning the prosecution of U.S. Patent No. 6,269,361 from
 26 Plaintiff Overture Services, Inc. (“Overture”) came on regularly for hearing on August 10,
 27 2004, at 9:00 a.m.

28 Having considered the papers filed by the parties in support of and in opposition to

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Google's Motion to Compel, and the oral argument of counsel in connection therewith,

IT IS HEREBY ORDERED THAT

Google's motion is DENIED in its entirety.

SO ORDERED.

Dated: _____, 2004

Hon. Elizabeth D. Laporte
Magistrate Judge