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 9 Google Inc.

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16 Attorneys for Plaintiff/Counterdefendant  
 17 Digital Envoy, Inc.

18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA  
 20 SAN JOSE DIVISION

21	DIGITAL ENVOY, INC.,	)	CASE NO.: C 04 01497 RS
22		)	
23	Plaintiff/Counterdefendant,	)	<b>STIPULATION AND [PROPOSED]</b>
24		)	<b>ORDER RE: AMENDING</b>
25	v.	)	<b>SCHEDULING ORDER</b>
26		)	
27	GOOGLE INC.,	)	
28		)	
	Defendant/Counterclaimant.	)	

1           Whereas the Court entered a Case Management Scheduling Order in this matter on  
2 August 27, 2004;

3           Whereas the parties believe amendments to the Scheduling Order will serve the interests  
4 of efficiency and economy;

5           Therefore, Parties through their undersigned counsel respectfully request that the Court  
6 amend the Scheduling Order as follows:

7           1.       Deposition discovery in the case shall be completed by **June 24, 2005**. The  
8 discovery cut-off for all other discovery shall remain **April 29, 2005**.

9           2.       On or before **July 14, 2005**, plaintiff shall disclose expert testimony and reports in  
10 accordance with Rule 26(a)(2) F.R.Civ.P.

11           3.       On or before **August 1, 2005**, defendant shall disclose expert testimony and  
12 reports in accordance with Rule 26(a)(2) F.R.Civ.P.

13           4.       On or before **August 31, 2005**, all discovery of expert witnesses pursuant to Rule  
14 26(b)(4) F.R.Civ.P. shall be completed.

15           5.       All pretrial motions shall be heard no later than **September 30, 2005**.

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17           The Scheduling Order shall otherwise remain in full force and effect.

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19  
20 Dated: April 1, 2005

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25 By: \_\_\_\_\_/s/  
David H. Kramer  
Attorneys for Google Inc.

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1 Dated: April 1, 2005

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By: \_\_\_\_\_/s/  
Timothy H. Kratz  
Attorneys for Digital Envoy, Inc.

**SO ORDERED.**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Honorable Richard Seeborg  
United States Magistrate Judge

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**CERTIFICATION**

I, David H. Kramer, am the ECF User whose identification and password are being used to file this Stipulation. In compliance with General Order 45.X.B, I hereby attest that both parties have concurred in this filing.

DATED: April 1, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By:           /s/ David H. Kramer            
David H. Kramer  
Attorneys for Google Inc