## **EXHIBIT 9**

	Case 5:04-cv-01497-RS	Document 147-10	Filed 05/02/2005	Page 2 of 4			
1 2 3 4 5 6 7 8	P. CRAIG CARDON, Cal. I BRIAN R. BLACKMAN, C KENDALL M. BURTON, C SHEPPARD, MULLIN, RIC Four Embarcadero Center, 1 San Francisco, California 9 Telephone: 415-434-910 Facsimile: 415-434-394 TIMOTHY H. KRATZ (Ad LUKE ANDERSON (Admi MCGUIRE WOODS, L.L.P 1170 Peachtree Street, N.E., Atlanta, Georgia 30309 Telephone: 404.443.5500 Facsimile: 404.443.5751	Cal. Bar No. 196996 Cal. Bar No. 228720 CHTER & HAMPTO 7th Floor 4111-4106 7 mitted <i>Pro Hac Vice</i> ) tted <i>Pro Hac Vice</i> )					
10	Attorneys for DIGITAL ENVOY, INC.						
11	UNITED STATES DISTRICT COURT						
12	NORTHERN DISTRICT OF CALIFORNIA						
13	SAN JOSE DIVISION						
14	DIGITAL ENVOY, INC.,		Case No. C 04 01497 RS				
15	Plaintiff/Cou	nter defendant,		OTTIVICA TIVON VIV			
16	v.		MANUAL FILING NOTIFICATION IN CONNECTION WITH DIGITAL				
17	GOOGLE, INC.,		ENVOY'S OPPOSITION TO GOOGLE, INC.'S TWO MOTIONS FOR SUMMARY				
18	Defendant/Counterclaimant.		JUDGMENT AND IN SUPPORT OF DIGITAL ENVOY, INC.'S RULE 56(F)				
19			MOTION				
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## DIGITAL ENVOY, INC. v. GOGGLE, INC. MANUAL FILING NOTIFICATION 1 2 DIGITAL ENVOY, INC.'S MEMORANDUM OF POINTS AND AUTHORITIES Regarding: IN SUPPORT OF DIGITAL ENVOY, INC.'S RULE 56(F) MOTION; and 3 SUPPLEMENTAL DECLARATION OF TIMOTHY H. KRATZ IN 4 OPPOSITION TO GOOGLE, INC.'S TWO MOTIONS FOR SUMMARY JUDGMENT AND IN SUPPORT OF DIGITAL ENVOY, INC.'S RULE 56(F) 5 MOTION with its attached exhibits be filed under seal to protect information Google has designated as Confidential 6 This filing is in paper or physical form only, and is being maintained in the 7 case file in the Clerk's office. 8 If you are a participant in this case, this filing will be served in hard-copy 9 shortly. 10 For information on retrieving this filing directly from the court, please see the 11 court's main web site at http://www.cand.uscourts.gov under Frequently Asked 12 Questions (FAQ). 13 This filing was not e-filed for the following reason(s): 14 15 Voluminous Document (PDF file size larger than the efiling system allows) 16 Unable to Scan Documents 17 Physical Object (description): 18 19 Non Graphical/Textual Computer File (audio, video, etc.) on CD or other media 20 21 x Item Under Seal 22 Conformance with the Judicial Conference Privacy Policy (General Order 53). 23 Other (description): 24 25 26 27 28

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1	DATED: May 2, 2005			
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4		Ву	/s/ Brian	n Blackman
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6		TIMOTI		c Vice To Be Applied For)
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