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 10 Google Inc.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 DIGITAL ENVOY, INC.,)
 15)
 16 Plaintiff/Counterdefendant,)
 17)
 18 v.)
 19)
 20 GOOGLE INC.,)
 21)
 22 Defendant/Counterclaimant.)
 23)
 24)
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CASE NO.: C 04 01497 RS
**DEFENDANT AND
 COUNTERCLAIMANT GOOGLE
 INC.'S MISCELLANEOUS
 ADMINISTRATIVE REQUEST TO
 FILE DOCUMENTS UNDER SEAL
 PURSUANT TO LOCAL RULE 79-5**
 Judge: Hon. Richard Seeborg
 Courtroom: 4, 5th Floor
 Date: June 22, 2005
 Time: 9:30 a.m

1 Defendant and counterclaimant Google Inc. (“Google”) hereby requests that the Court
2 permit it to file under seal the following documents:

- 3 1. Confidential unredacted version of Google Inc.’s Opposition to Digital Envoy’s
4 Motion to Compel Further Responses to Its First and Second Sets of Interrogatories
5 and Its First and Second Sets of Requests for Production of Documents to Google
6 Inc.;
- 7 2. Confidential unredacted version of Google Inc.’s Opposition to Digital Envoy’s
8 Motion to Compel Further Responses to Requests for Production of Documents Nos.
9 3, 14, 18, 19 and 26;
- 10 3. Declaration of Kim Malone in Support of Google Inc.’s Opposition to Digital
11 Envoy’s Motion to Compel Further Responses to Interrogatories and Document
12 Requests (“Malone Declaration”);
- 13 4. Declaration of David DiNucci in Opposition to Digital Envoy’s Motion to Compel
14 Further Responses to Requests for Production of Documents (“DiNucci
15 Declaration”); and
- 16 5. Exhibits C, D and F to the Declaration of David H. Kramer in Support of Google
17 Inc.’s Oppositions to Digital Envoy’s Motions to Compel (“Kramer Declaration”).

18 Google’s opposition briefs, the Malone Declaration and the DiNucci Declaration contain
19 information confidential to Google. Public memorandums with the designated material redacted
20 are also being filed. Exhibit C contains excerpts from the deposition of Steven Schimmel, taken
21 on September 23, 2004. Google has designated the transcript as “Highly Confidential –
22 Attorneys’ Eyes Only” pursuant to the Protective Order entered in this matter on August 23,
23 2004. Exhibit D contains excerpts from the deposition of Robert Friedman, taken on November
24 17, 2004. Plaintiff and counterdefendant Digital Envoy, Inc. has designated the transcript as
25 “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Protective Order. Exhibit F is a
26 redacted copy of a contract between Google and a third party that the third party has designed as
27 “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Protective Order.

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1 Google hereby requests an order permitting it to file unredacted copies of its opposition
2 briefs, the Malone Declaration, the DiNucci Declaration, and Exhibits C, D and F to the Kramer
3 Declaration under seal.

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5 Dated: June 1, 2005

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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By: /s/ David H. Kramer
David H. Kramer

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Attorneys for Defendant / Counterclaimant
GOOGLE INC.

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