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 Google Inc.

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11	DIGITAL ENVOY, INC.,	)	CASE NO. C 04 01497 RS
12)	
13	Plaintiff/Counterdefendant,	)	DECLARATION OF STEPHEN C.
14	v.	)	HOLMES IN SUPPORT OF
15	GOOGLE INC.,	)	GOOGLE INC.'S OBJECTION TO
16		)	AND MOTION TO STRIKE PARTS
17	Defendant/Counterclaimant.	)	OF DIGITAL ENVOY'S REPLY
18		)	BRIEFS AND EVIDENCE
19		)	SUBMITTED IN REPLY TO
20		)	GOOGLE'S OPPOSITIONS TO
		)	DIGITAL ENVOY'S MOTIONS TO
		)	COMPEL
)	Date: June 22, 2005
)	Time: 9:30 a.m.
)	Courtroom: 4, 5 th Floor
)	Judge: Hon. Richard Seeborg

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1 I, Stephen C. Holmes, declare as follows:

2 1. I am an attorney at law duly licensed to practice in the State of California and before
3 this Court. I am an associate at Wilson Sonsini Goodrich & Rosati, counsel for defendant and
4 counterclaimant Google, Inc. (“Google”). I have personal knowledge of the facts set forth herein
5 and, if called as a witness, could and would testify competently thereto.

6 2. Attached hereto as Exhibit A is a true and correct copy of a marked-up copy of the
7 Reply Brief of Digital Envoy, Inc. (“Digital Envoy”) submitted in reply to Google’s Opposition
8 to Digital Envoy’s Motion To Compel (Docket No. 189). The parts of Exhibit A struck through
9 represent those parts Google objects to and moves to strike as set forth in Google’s
10 accompanying Objection and Motion to Strike.

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12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct. Executed on June 15, 2005, at Palo Alto, California.

14 /s/ Stephen C. Holmes
15 Stephen C. Holmes

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