

1 P. CRAIG CARDON, Cal. Bar No. 168646
 BRIAN R. BLACKMAN, Cal. Bar No. 196996
 2 KENDALL M. BURTON, Cal. Bar No. 228720
 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
 3 Four Embarcadero Center, 17th Floor
 San Francisco, California 94111-4106
 4 Telephone: 415-434-9100
 Facsimile: 415-434-3947
 5

6 TIMOTHY H. KRATZ (Admitted *Pro Hac Vice*)
 LUKE ANDERSON (Admitted *Pro Hac Vice*)
 7 MCGUIRE WOODS, L.L.P
 1170 Peachtree Street, N.E., Suite 2100
 8 Atlanta, Georgia 30309
 Telephone: 404.443.5500
 9 Facsimile: 404.443.5751

10 Attorneys for DIGITAL ENVOY, INC.

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

14 DIGITAL ENVOY, INC.,
 15 Plaintiff/Counter defendant,
 16 v.
 17 GOOGLE, INC.,
 18 Defendant/Counterclaimant.

Case No. C 04 01497 RS

**DIGITAL ENVOY'S MISCELLANEOUS
 ADMINISTRATIVE REQUEST TO FILE
 UNDER SEAL, PURSUANT TO LOCAL
 RULES 7-11 AND 79-5, EXHIBITS A, B, C,
 M AND N TO THE DECLARATION OF
 ROBERT J. WADDELL AND PORTIONS
 OF DIGITAL ENVOY'S OPPOSITION TO
 GOOGLE'S MOTION FOR PARTIAL
 SUMMARY JUDGMENT RE: DIGITAL
 ENVOY'S DAMAGES CLAIMS**

**Date: September 21, 2005
 Time: 9:30 a.m.
 Courtroom: 4, 5th Floor**

The Honorable Richard Seeborg

1 Plaintiff Digital Envoy, Inc. requests that the Court permit it to file under seal Exhibit A,
 2 B, C, M, and N to the Declaration of Robert J. Waddell ("Waddell Declaration") and portions of
 3 its Opposition to Google's Motion for Partial Summary Judgment Regarding Digital Envoy, Inc.'s
 4 Damages Claims ("Opposition").

5 Defendant Google, Inc. ("Google") has identified Exhibit A, B, C, M, and N to the
 6 Waddell Declaration as "Highly Confidential – Attorney's Eyes Only" pursuant to the Stipulation
 7 and Protective Order Regarding Confidentiality filed August 23, 2004 in this matter. Exhibit A,
 8 B, C, M, and N to the Waddell Declaration are referenced and discussed in detail in the
 9 Opposition.

10 Without concurring in Google's view, in light of its designation, Digital Envoy requests an
 11 order permitting it to file Exhibit A, B, C, M, and N to the Waddell Declaration and portions of the
 12 Opposition under seal.

13 DATED: September 1, 2005

14 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

15
 16 By /s/ Brian Blackman
 17 P. CRAIG CARDON
 18 BRIAN R. BLACKMAN

19 TIMOTHY H. KRATZ (*Pro Hac Vice* To Be Applied For)
 20 LUKE ANDERSON (*Pro Hac Vice* To Be Applied For)
 21 MCGUIRE WOODS, L.L.P
 22 1170 Peachtree Street, N.E., Suite 2100
 23 Atlanta, Georgia 30309
 24 Telephone: 404.443.5706
 25 Facsimile: 404.443.5751

26 Attorneys for DIGITAL ENVOY, INC.
 27
 28