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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

**FILED**

SEP 21 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

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

**[PROPOSED] ORDER GRANTING  
 DIGITAL ENVOY, INC.'S  
 MISCELLANEOUS ADMINISTRATIVE  
 REQUEST TO FILE UNDER SEAL,  
 PURSUANT TO LOCAL RULES 7-11  
 AND 79-5, THE SUPPLEMENTAL  
 DECLARATION OF ROBERT J.  
 WADDELL, JR. IN OPPOSITION TO  
 GOOGLE INC.'S MOTION FOR  
 PARTIAL SUMMARY JUDGMENT  
 REGARDING DIGITAL ENVOY, INC.'S  
 DAMAGES CLAIMS**

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

The Honorable Richard Seeborg

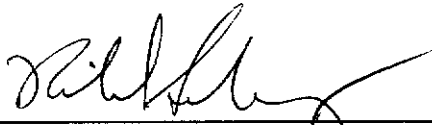
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Having considered Plaintiff Digital Envoy, Inc.'s ("Digital Envoy") Miscellaneous Administrative Request to File Under Seal, Pursuant to Local Rules 7-11 and 79-5, the Supplemental Declaration of Robert J. Waddell, Jr. in Opposition to Google's Motion for Partial Summary Judgment regarding Digital Envoy's Damages Claim, attaching as **Exhibit A** thereto an Excerpt from the Deposition Transcript of Robert B. Friedman, lodged with the Court on September 19, 2005, the Court **HEREBY ORDERS** that:

1. The Supplemental Declaration of Robert J. Waddell, Jr. in Opposition to Google's Motion for Partial Summary Judgment regarding Digital Envoy's Damages Claim, attaching as **Exhibit A** thereto an Excerpt from the Deposition Transcript of Robert B. Friedman, be filed under seal.

**IT IS SO ORDERED.**

DATED: 9/21/, 2005

By   
The Honorable Richard Seeborg  
United States Magistrate Judge