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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

REDACTED EXHIBITS

**DECLARATION OF ROBERT J.
 WADDELL, JR. IN SUPPORT OF
 DIGITAL ENVOY'S SUPPLEMENTAL
 BRIEF IN OPPOSITION TO GOOGLE
 INC.'S MOTION FOR PARTIAL
 SUMMARY JUDGMENT REGARDING
 DIGITAL ENVOY, INC.'S DAMAGES
 CLAIMS**

The Honorable Richard Seeborg

1 I, Robert J. Waddell, Jr., declare as follows:

2 1. I am over twenty-one years of age and not under any legal disability. I have
3 personal knowledge of all facts set forth herein. I am an attorney at law, duly licensed to practice
4 in the State of Georgia, and admitted *pro hac vice* as an attorney for Plaintiff Digital Envoy, Inc.
5 in this case.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the
7 transcript of the September 23, 2004 Deposition of Steven L. Schimmel.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the
9 transcript of the November 17, 2004 Deposition of Robert B. Friedman.

10 4. Attached hereto as Exhibit 3 are true and correct copies of Exhibits 25 and 38 from
11 the September 23, 2004 Deposition of Steven L. Schimmel, which were authenticated therein by
12 Mr. Schimmel. These same documents were produced by Google Inc. from Google Inc.'s files in
13 response to discovery requests in this case as GOOG 09358 -09360 and GOOG 007124 -007135.

14 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the
15 transcript of the September 1, 2004 Deposition of Matthew D. Cutts.

16 6. Attached hereto as Exhibit 5 is a true and correct copy of Exhibit 49 from the
17 January 13, 2005 Deposition of Salar Kamangar, which was authenticated therein by Mr.
18 Kamangar. These same documents were produced by Google Inc. from Google Inc.'s files in
19 response to discovery requests in this case as GOOG 009696 - 009698.

20 7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the
21 transcript of the November 16, 2004 Deposition of Kulpreet Rana.

22 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the
23 transcript of the January 13, 2005 Deposition of Salar Kamangar.

24 9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the
25 transcript of the May 24, 2005 Deposition of Mark Rose.

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1 I declare these things under penalty of perjury and under the laws of the United States.

2 Executed on October 5, 2005.

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4 /s/ Robert J. Waddell, Jr.
5 Robert J. Waddell, Jr.
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