Digital Envoy Inc.,	. Google Inc.,				Doc.	
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1	D. CDAIC CADDON, Col. Don No. 169646					
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10	Audineys for Diotral Livy O1, five.					
11	UNITED STATES DISTRICT COURT					
12	NORTHERN DISTRICT OF CALIFORNIA					
13	SAN JOSE DIVISION					
14	DIGITAL ENVOY, INC.,		Case No. C 04 01497 RS			
15	Plaintiff/Cour	nterdefendant,	NOTICE OF MOT			
16	v.		COMPEL FURTHER RESPONSES TO DIGITAL ENVOY'S			
17	GOOGLE, INC.,	LE, INC.,		INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND 30(b)(6) DEPOSITION NOTICES		
18	Defendant/Co	unterclaimant.	Date: Dece	mber 5, 2005		
19			Time: 10:00) a.m. 1 Floor		
20			The Honorable Rich			
21			The Honoradie Rich			
22	DI EASE TAKE NOTICE that are Decomber 5, 2005 at 10,000 and in Construction 4, E'61					
23	PLEASE TAKE NOTICE that on December 5, 2005 at 10:00 a.m. in Courtroom 4, Fifth					
24	Floor of the United States District Court for the Northern District of California, United States					
25	Courthouse, 280 South First Street, San Jose, California, plaintiff/counterdefendant Digital Envoy,					
26	Inc. ("Digital Envoy") shall move the court pursuant to Fed. R. Civ. P. 37 for an order compelling					
27	further responses from Google, Inc. to Digital Envoy's Interrogatories and Requests for Production					
28						
20		_	1-			
	W02-SF:5BB\61451967.1			MTN. AND MTN. TO		

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of Documents, as well as the production of persons most qualified to testify on Google's behalf to properly noticed deposition topics.

Digital Envoy certifies that it has in good faith conferred with Google, Inc. in an effort to secure further responses and disclosures to these interrogatories, document requests and deposition categories without court action, and that those efforts were unsuccessful. Digital Envoy respectfully requests that this Court enter an order compelling Google to: (1) provide *full and complete responses* to Digital Envoy's Interrogatory nos. 6, 10, and 11 for both AdSense for Content and AdSense for Search; (2) provide full and complete responses to Document Requests Nos. 14, 18 and 19, including *all* documents concerning geotargeting for Google's top 100 advertisers (including Google's use of Digital Envoy's technology), *all* communications with Google's top 100 advertisers that refer to geotargeting (including the use of Digital Envoy's data), *all* revenue information for Google's top 100 advertisers, and *all* other responsive documents regarding its AdSense programs for Google's top 100 advertisers; (3) designate one or more 30(b)(6) deponents for Digital Envoy's designated topics, noticed on May 13, 2005; and (4) pay costs and fees associated with this pending motion.

DATED: October 31, 2005

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /s/ Brian Blackman
P. CRAIG CARDON
BRIAN R. BLACKMAN

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