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8 Attorneys for Defendant/Counterclaimant
 9 Google Inc.

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

13 DIGITAL ENVOY, INC.,)
 14)
 15 Plaintiff/Counterdefendant,)
 16)
 17 v.)
 18)
 19 GOOGLE INC.,)
 20)
 21 Defendant/Counterclaimant.)
 22)
 23)
 24)
 25)
 26)
 27)
 28)

CASE NO.: C 04 01497 RS
**GOOGLE INC.'S OBJECTION TO
 DIGITAL ENVOY'S SURREPLY RE
 GOOGLE INC.'S MOTION TO
 STAGE DISCOVERY**
 Judge: Hon. Richard Seeborg
 Courtroom: 4, 5th Floor
 Date: September 22, 2004
 Time: 9:00 a.m.

1 Google hereby objects to Digital Envoy's Surreply Re. Google Inc.'s Motion to Stage
2 Discovery filed just before midnight yesterday in violation of Civil Local Rule 7-3(d). Digital
3 Envoy has neither sought nor received leave to file its Surreply and it should be stricken.
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5 Respectfully Submitted:

6 Dated: August 24, 2004

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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By: /s/ David H. Kramer
David H. Kramer

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Attorneys for Defendant/Counterclaimant
Google Inc.

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