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

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

Case No. C 04 01497 RS

**[PROPOSED] ORDER GRANTING
 REQUEST TO ALLOW DIGITAL
 ENVOY'S SURREPLY TO MOTION TO
 STAGE DISCOVERY**

20 Before the Court is plaintiff and counterdefendant Digital Envoy, Inc.'s Request pursuant
 21 to Local Rule 7-10(b) for an order allowing Digital's previously filed Surreply to defendant and
 22 Counterclaimant Google, Inc.'s Motion to Stage Discovery.

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GOOD CAUSE appearing, it is order that Digital's Surreply in Opposition to Google's Motion to Stage Discovery, which was filed on August 23, 2004, is accepted and will be considered in deciding the motion.

DATED: August ____, 2004

By

The Honorable Richard Seeborg
United States Magistrate Judge