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28***E-FILED 9/20/04***

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DIGITAL ENVOY, INC.,

Plaintiff,

v.

GOOGLE, INC.,

Defendant.

NO. 5:04-cv-1497 RS

**ORDER GRANTING MOTION
FOR LEAVE TO FILE AMENDED
COMPLAINT AND RELIEF
FROM CASE MANAGEMENT
SCHEDULE**

Plaintiff and counterdefendant Digital Envoy, Inc. ("Digital") filed a motion for leave to file a First Amended Complaint and to amend the case management schedule to permit such amendment. The motion was noticed for hearing on October 6, 2004. On September 15, 2004, defendant Google, Inc. ("Google") filed a statement of non-opposition to the motion. Based on Google's statement, and good cause appearing therefor, the motion is granted and the hearing scheduled for October 6, 2004 is vacated. Digital shall file its amended complaint within five (5) court days of the date of this order.

Dated: September 20, 2004

/s/ Richard Seeborg
RICHARD SEEBORG
United States Magistrate Judge

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THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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Dated: 9/20/04

Chambers of Judge Richard Seeborg

By: /s/ BAK _____