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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. )  
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CASE NO.: C 04 01497 RS  
**[PROPOSED] ORDER GRANTING  
 GOOGLE INC.'S MOTION FOR A  
 PROTECTIVE ORDER**  
 Judge: Hon. Richard Seeborg  
 Courtroom: 4, 5<sup>th</sup> Floor  
 Date: January 26, 2005  
 (pending motion)  
 Time: 9:30 a.m.

1 Defendant/counterclaimant Google Inc. (“Google”) has filed a Motion for a Protective  
2 Order.

3 After considering the papers filed in connection with the motion and all other matters  
4 presented to the Court, and good cause appearing therefor,

5 IT IS HEREBY ORDERED THAT:

- 6 1. Digital Envoy shall withdraw today the nonparty subpoenas it has served.
- 7 2. Digital Envoy shall notify the third parties today by means reasonably calculated  
8 to ensure that they receive the notice, that compliance with the subpoena previously served by  
9 Digital Envoy is unnecessary.

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12 Dated: \_\_\_\_\_, 2005.

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14 \_\_\_\_\_  
15 Honorable Richard Seeborg  
16 United States District Magistrate Judge  
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