

## EXHIBIT B

01/14/05

17:13

WILSON SONSINI GOODRICH ROSATI

NO. 297

P02

**W&GR** Wilson Sonsini Goodrich & Rosati  
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January 14, 2005

**Via Facsimile to (404) 443-5761 and US Mail**

John A. Lockett III, Esq.  
McGuireWoods, LLP  
1170 Peachtree Street, N.E.  
Suite 2100  
Atlanta, Georgia 30309

**Re: *Digital Envoy v. Google*  
USDC, Northern District of California, Case No.: C-04-01497 RS**

Dear John:

I write further to your letter of today and my letter of January 12 about the twenty-two (22) third-party subpoenas that Digital Envoy has served.

Google maintains that the subpoenas are overbroad, vague, not calculated to lead to the discovery of admissible evidence, vexatious and harassing. You have not advanced any reasons why not. Google has been burdened and its business disrupted by having to field calls and enquiries from third parties that you have subpoenaed. Several of the third parties have requested Google to take action seeking a protective order, which as I previously informed you, Google will be doing. In addition, your requests seek confidential, trade secret business information that has nothing to do with the issues in the Digital Envoy v. Google litigation.

Your letter does not answer my straightforward question: what is the relevance to the issues in the present litigation between Digital Envoy and Google of the incredibly overbroad document requests to third parties? All you have said is that the requests are relevant. We need an explanation tonight as to why, since the opposite seems obvious.

We also request that you stipulate to an order shortening time on Google's motion for a protective order regarding the subpoenas as follows:

- Google's motion for a protective order to be filed on Tuesday, January 18.
- Digital Envoy's opposition to Google's motion to be filed by Friday, January 21.
- Google's reply to be filed by Monday, January 24.
- Hearing before Judge Seeborg on Wednesday, January 26.

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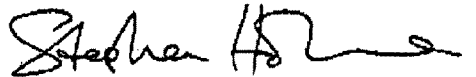
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John A. Locket, III, Esq.  
January 14, 2005  
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Please get back to me on the above proposed shortened briefing and hearing schedule by  
Tuesday, January 18 at 12:00 p.m. PST.

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation



Stephen C. Holmes

cc. Timothy H. Kratz, Esq.  
P. Craig Cardon, Esq.

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