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28***E-FILED 1/21/05***

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
GOOGLE'S MOTION TO AMEND
ITS COUNTERCLAIMS**

Defendant Google, Inc. ("Google") filed a motion to amend its counterclaims and noticed the motion for hearing on February 9, 2005. On January 20, 2005, plaintiff Digital Envoy, Inc. ("Digital") filed a statement of non-opposition to the motion. Accordingly, the motion is granted and the hearing on February 9, 2005 is vacated. Google shall file its amended counterclaims within five (5) court days of the date of this order. Digital shall be permitted to amend its answer to such counterclaims, or to seek other appropriate relief, within twenty (20) days after the filing of the amended counterclaims. To the extent that the Court's case management schedule precluded Google from filing amended counterclaims at this time, it is amended to permit such filing in accordance

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1 with this order.

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3 Dated: January 21, 2005

/s/ Richard Seeborg
RICHARD SEEBORG
United States Magistrate Judge

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13 Dated: January 21, 2005

14
15 /s/ BAK
16 Chambers of Magistrate Judge Richard Seeborg

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