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

14 DIGITAL ENVOY, INC.,
 15 Plaintiff/Counter defendant,
 16 v.
 17 GOOGLE, INC.,
 18 Defendant/Counterclaimant.
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Case No. C 04 01497 RS

**DIGITAL ENVOY'S ADMINISTRATIVE
 MOTION FOR AN ORDER FOR LEAVE
 TO FILE DOCUMENTS UNDER SEAL**

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1 Pursuant to Local Rule 79-5(d), plaintiff Digital Envoy, Inc. ("Digital Envoy") files this
2 request for an order for leave to file under seal Exhibits 8, 11, 25, 28, 48 and 49, attached to the
3 Declaration of Luke Anderson In Support Of Digital Envoy's Opposition to Google, Inc.'s Motion
4 for Protective Order, and the portions of the Opposition brief which reference these Exhibits.

5 Digital Envoy respectfully requests that Exhibits 8, 11, 25, 28, 48 and 49 be filed under
6 seal. These Exhibits have been designated Confidential by Defendant Google, Inc. ("Google")
7 pursuant to the Stipulation and Protective Order Regarding Confidentiality filed August 23, 2004
8 in this matter. See *Exhibit A*, attached to *Declaration of Brian R. Blackman In Support Of*
9 *Plaintiff's Request For Leave to File Under Seal*, ¶ 3 ("Blackman Decl."). Plaintiff's counsel call
10 and emailed Google's counsel, requesting it withdraw its Confidential designation for these
11 Exhibits. See *Blackman Decl.*, ¶ 2. However, plaintiff's counsel did not receive a response from
12 Google prior to the filing of Plaintiff's Memorandum in Opposition to Google, Inc.'s Motion for
13 Protective Order. *Id.* For the foregoing reasons, Digital Envoy respectfully requests that the
14 Court grant this request and order DIGITAL ENVOY, INC.'S MEMORANDUM IN
15 OPPOSITION TO GOOGLE, INC.'S MOTION FOR A PROTECTIVE ORDER and the
16 DECLARATION OF LUKE ANDERSON IN SUPPORT OF DIGITAL ENVOY'S OPPOSITION
17 TO GOOGLE'S MOTION FOR PROTECTIVE ORDER with its attached exhibits be filed under
18 seal to protect information Google has designated as Confidential.

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1 DATED: January 24, 2005

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By _____ /s/
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