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12 UNITED STATES DISTRICT COURT
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14 NORTHERN DISTRICT OF CALIFORNIA
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16 SAN JOSE DIVISION

17 DIGITAL ENVOY, INC.,
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19 Plaintiff/Counterdefendant,
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21 v.
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23 GOOGLE INC.,
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25 Defendant/Counterclaimant.
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CASE NO.: C 04 01497 RS

**DEFENDANT AND
COUNTERCLAIMANT GOOGLE
INC.'S MISCELLANEOUS
ADMINISTRATIVE REQUEST TO
FILE DOCUMENTS UNDER SEAL
PURSUANT TO LOCAL RULE 79-5**

Date: March 16, 2005
Time: 9:30 a.m.
Courtroom: 4, 5th Floor
Judge: Hon. Richard Seeborg

1 Defendant and counterclaimant Google Inc. ("Google") hereby requests that the Court
2 permit it to file under seal Exhibit D to the Declaration of Stephen C. Holmes in Support of
3 Google's Motion for Partial Summary Judgment on Counts II, III, IV and V of Digital Envoy
4 Inc.'s Amended Complaint, as well as an unredacted copy of its Motion which contains excerpts
5 from Exhibit D.

6 Plaintiff and counterdefendant Digital Envoy, Inc. ("Digital Envoy") has identified the
7 documents attached as Exhibit D to the Holmes Declaration as "Highly Confidential –
8 Attorneys' Eyes Only" pursuant to the Protective Order entered in this matter on August 23,
9 2004. These documents are excerpts from the deposition testimony of Rob Friedman, dated
10 November 17, 2004. The excerpts are quoted in Google's memorandum. A public
11 memorandum with the designated material redacted is also being filed. Without concurring in
12 Digital Envoy's view, in light of its designations, Google requests an order permitting it to file
13 the deposition testimony and an unredacted copy of its brief under seal.

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15 Dated: February 7, 2005

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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18 By: /s/ David H. Kramer
David H. Kramer

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20 Attorneys for Defendant / Counterclaimant
GOOGLE INC.