

1 P. CRAIG CARDON, Cal. Bar No. 168646  
 BRIAN R. BLACKMAN, Cal. Bar No. 196996  
 2 KENDALL M. BURTON, Cal. Bar No. 228720  
 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
 3 Four Embarcadero Center, 17th Floor  
 San Francisco, California 94111-4106  
 4 Telephone: 415-434-9100  
 Facsimile: 415-434-3947  
 5

6 TIMOTHY H. KRATZ (Admitted *Pro Hac Vice*)  
 LUKE ANDERSON (Admitted *Pro Hac Vice*)  
 7 MCGUIRE WOODS, L.L.P  
 1170 Peachtree Street, N.E., Suite 2100  
 8 Atlanta, Georgia 30309  
 Telephone: 404.443.5500  
 9 Facsimile: 404.443.5751

10 Attorneys for DIGITAL ENVOY, INC.

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.  
 19  
 20

Case No. C 04 01497 RS

**DIGITAL ENVOY'S ADMINISTRATIVE  
 MOTION FOR AN ORDER FOR LEAVE  
 TO FILE DOCUMENTS UNDER SEAL IN  
 CONNECTION WITH ITS OPPOSITION  
 TO GOOGLE'S MOTION FOR PARTIAL  
 SUMMARY JUDGMENT**

21 Pursuant to Local Rule 79-5(d), plaintiff Digital Envoy, Inc. ("Digital Envoy") files this  
 22 request for an order for leave to file under seal Exhibits A, B, C, D, E, G, H, J, K, L, M, N, O, P  
 23 and R, attached to the Declaration of Timothy H. Kratz In Support Of Digital Envoy's Opposition  
 24 to Google, Inc.'s Motion for Partial Summary Judgment, and the portions of the Opposition brief  
 25 which reference these Exhibits.

26 Digital Envoy respectfully requests that Exhibits A, B, C, D, E, G, H, J, K, L, M, N, O, P  
 27 and R be filed under seal. These Exhibits have been designated Confidential by Defendant  
 28 Google, Inc. ("Google") pursuant to the Stipulation and Protective Order Regarding

1 Confidentiality filed August 23, 2004 in this matter. See *Exhibit 1*, attached to *Declaration of*  
2 *Brian R. Blackman In Support Of Plaintiff's Request For Leave to File Under Seal*, ¶ 3  
3 ("Blackman Decl.").

4 For the foregoing reasons, Digital Envoy respectfully requests that the Court grant this  
5 request and order DIGITAL ENVOY, INC.'S MEMORANDUM IN OPPOSITION TO  
6 GOOGLE, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT and the  
7 DECLARATION OF TIMOTHY H. KRATZ IN SUPPORT OF DIGITAL ENVOY'S  
8 OPPOSITION TO GOOGLE'S MOTION FOR PARTIAL SUMMARY JUDGMENT with its  
9 attached exhibits be filed under seal to protect information Google has designated as Confidential.

10  
11 DATED: February 23, 2005

12 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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14 By \_\_\_\_\_ /s/ Brian Blackman

15 P. CRAIG CARDON  
16 BRIAN R. BLACKMAN

17 TIMOTHY H. KRATZ (*Pro Hac Vice* To Be Applied For)  
18 LUKE ANDERSON (*Pro Hac Vice* To Be Applied For)  
19 MCGUIRE WOODS, L.L.P  
20 1170 Peachtree Street, N.E., Suite 2100  
21 Atlanta, Georgia 30309  
22 Telephone: 404.443.5706  
23 Facsimile: 404.443.5751

24 Attorneys for DIGITAL ENVOY, INC.