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

14 ALBERTO R. GONZALES, in his official
 15 capacity as ATTORNEY GENERAL OF
 16 THE UNITED STATES,

17 Movant,

18 v.

19 GOOGLE, INC.,

20 Respondent.

Case No. 5-06-mc-80006-JW

**APPLICATION OF LAW PROFESSORS FOR
 LEAVE TO FILE
 AMICUS CURIAE BRIEF**

Hearing Date: Not Applicable
 Time: Not Applicable
 Courtroom: 8, 4th Floor

21 Applicant Professors of Law Andrea M. Matwyshyn (University of Florida Law School),¹
 22 Deirdre Mulligan (University of California at Berkeley Boalt Hall School of Law), Susan Freiwald
 23 (University of San Francisco Law School), and Patricia L. Bellia (Notre Dame Law School)
 24 respectfully request an order granting leave to file the accompanying brief as *amici curiae*.

25 Individual *amici* are full-time legal academics who research, teach and write in the areas of
 26 internet, privacy and electronic surveillance law. *Amici* ask leave to submit their *amicus curiae* brief in
 27 order to alert this Court that Google’s Electronic Communication’s Privacy Act (“ECPA”) defense
 28 raises an important question of first impression. ECPA is an exceedingly complicated statute with

¹ *Amici* file this brief in their individual capacities, and not as representatives of the institutions with which they are affiliated.

1 multiple parts that could potentially apply to the variety of products and services Google offers.
2 Whether ECPA applies to search queries and/or internet addresses (known as uniform resource locators
3 or “URLs”) in a situation like this has never been addressed by any court. Amici do not take a position
4 on this question here. Instead, amici ask that if the Court decides to rule on this novel question of law, it
5 allow additional time so that *amici* and others can seek to submit briefs fully exploring the applicability
6 of this complicated statute and related policy concerns.

7 **CONCLUSION**

8 This application for leave to file an *amici curiae* brief should be granted.

9 Dated: February 24, 2006

Respectfully submitted,

10 CENTER FOR INTERNET AND SOCIETY
11 CYBERLAW CLINIC

12 by /s/ Lauren A. Gelman
13 Lauren A. Gelman

14
15 by /s/ Jennifer Granick
16 Jennifer Stisa Granick

17 Attorneys for *Amici Curiae* Law Professors
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