

Exhibit 40

Karl Ford * February 16, 2009

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

IN RE MICROSOFT CORP.)
ANTITRUST LITIGATION)
)MDL Docket No. 1332
)
Novell, Inc. V. Microsoft)Hon. J. Frederick
Corporation,)Mutz
)
Civil Action No. JFM-05-1087)
)

DEPOSITION OF: Karl Ford

February 16, 2009 * 9:00 a.m.

Location: Ray, Quinney & Nebeker
86 North University Avenue, Suite 430
Provo, Utah 84601

Reporter: Diana Kent, CSR, RPR, CRR
Notary Public in and for the State of Utah
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1 find, when the press release was for 6.0 and 6.1. I
2 could guess, but I don't remember the exact time. I
3 believe it was less than a year.

4 Q. And after 6.1, WordPerfect for Windows 6.1
5 shipped, what did you start working on at that point?

6 A. Then I was made a team leader and I had
7 six or seven folks underneath me. We all did -- the
8 guys on my team did the button bar, you know, tool
9 bars, if you guys know what that is. I did macros.
10 I did the Open, Save, Dial-up, Preferences, stuff
11 like that. So I wrote code while I still led the
12 team. And we started working on 7.0. And that's
13 when I started working with the Open/Save dialog and
14 started working on that with Greg Richards, Adam
15 Harold, and Steve Giles.

16 Q. And they were part of something called the
17 Shared Code Group?

18 A. Yes. The philosophy is the Shared Code
19 Group would write a foundation component and Group
20 Wise and WordPerfect and other products would
21 leverage that work so we would have the same common
22 look and feel and we wouldn't have multiple people
23 reinventing the wheel.

24 Q. And if it's possible to generalize, what
25 was the allocation of work between your team in

1 WordPerfect for Windows 7 and the shared code team
2 when it came to user interface issues?

3 A. I'm just trying to wrack my brain here.
4 Just trying to go through some folks that I know did
5 some user interface.

6 I don't know the exact percentage, but the
7 majority of the user interface was in the WordPerfect
8 group. Adam and Greg did the Open/Save As dialog,
9 and there's some others. There's a couple names that
10 I can't remember that were working on some UI
11 components. But most of the UI was in the
12 WordPerfect team.

13 Q. And that was -- the work that was done
14 within the WordPerfect team was work that your team
15 was doing?

16 A. Part of my team. There were others.
17 Geez, there were, you know, I'd say close to 40
18 engineers that were working on the WordPerfect side.
19 And there would be folks doing spell check or
20 Thesaurus or what we'd call the engine. Windows is a
21 messaging operating system, and so to deal with the
22 internal engine, there was an engine team of 15 or 20
23 folks. And probably the user interface guys at
24 WordPerfect were 15 or 20 people that had a UI
25 component.

1 Q. And did you continue working on
2 WordPerfect for Windows 7 through the purchase by
3 Corel?

4 A. I did.

5 Q. And do you recall when that product
6 shipped?

7 A. I believe it shipped after Corel bought
8 us, as I remember, which would be '96. Because I'm
9 pretty sure we held -- yeah, it is. Because we
10 received some -- it wasn't an incentive bonus, but it
11 was kind of a, "Here's a bonus for working tons of
12 hours and killing yourself for an hour," type thing.
13 And so I remember those discussions of who should get
14 how much. And I remember I did get a -- whatever
15 type of bonus you want to call it for shipping 7,
16 when Corel had us.

17 Q. When you started working at WordPerfect,
18 do you recall how many different versions for
19 different operating systems there were of the
20 product?

21 A. I can start listing them, if you want me
22 to.

23 Q. Okay.

24 A. So you had your Data General, which I have
25 already mentioned, which the operating system was

1 called AOSVS. You had VAX, which was DEC, Digital
2 Equipment back then. No longer around. VAX
3 operating system. You had IBM, I want to say 370, a
4 mini main frame. You had UNIX, different flavors of
5 UNIX. And that one, I can't remember all the
6 different flavors. You had SCO and you had different
7 flavors of UNIX. You had Mac. Well, back then it
8 was Apple. So you had Apple versions. You had the
9 Apple -- I can't remember what they used to call
10 them. Not notebook. Powerbook or something. But
11 Apple something. And then you had DOS. And then OS2
12 came along and we worked on OS2. I didn't, but
13 WordPerfect worked on OS2, and then the last one was
14 Windows. So then you have the different flavors of
15 Windows. I believe the first one was 3.0 Windows,
16 then 3.1, Windows 95, Windows 98. And that's about
17 all I've been involved in.

18 Q. Okay. Why did WordPerfect have --

19 A. I forgot one.

20 Q. I'm sorry.

21 A. I'm sorry. One just jumped in my head.

22 This is like a flashback. It was -- I want to say it
23 was Steve Jobs. It was called NEXT, N-E-X-T. Sorry.
24 I don't think we ever shipped it, actually, but we
25 worked on it.

1 Q. If at any time, because I'm asking you
2 about ancient history, if things pop into your head,
3 feel free to supplement a prior answer. I appreciate
4 your continuing to think about these things.

5 Why did WordPerfect have versions of its
6 product for so many different operating systems?

7 MR. ENGLEHARDT: Object to form. Go
8 ahead.

9 A. The philosophy was to be as ubiquitous --
10 let the customer choose whatever computer that they
11 wanted, whatever platform they wanted. And we had
12 tremendous success on DOS. The Data General was the
13 first version of WordPerfect on AOSVS that Alan
14 Ashton and Bruce Bastian wrote. And then they went
15 to DOS, and that's where they had their success. And
16 I think maybe because it was on Data General and they
17 started, you know, trying to get to different markets
18 and make as much money as they can. But they wanted
19 to be on every operating system that made sense, that
20 they thought they could make money.

21 So after a while, when I worked on the
22 Data General, that was when things started to
23 consolidate and Data General started to have trouble.
24 They could see that it wasn't worth investing a new
25 -- any more resources on the next version of the Data