

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

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June 11, 2009

Memo To Counsel Re: Microsoft Corp. Antitrust Litigation
MDL 1332

Novell, Inc. v. Microsoft Corp.
Civil No. JFM-05-1087

Dear Counsel:

I have reviewed the memoranda submitted in connection with Novell's motion to compel answers to interrogatories.

Novell's motion is granted to the very limited extent that Microsoft is directed to provide a sworn answer to the interrogatories in question stating (if it is accurate) that "Microsoft has not located any documents in response to this interrogatory." Of course, if Microsoft subsequently does identify documents in response to the interrogatory (by itself conducting a search of the *Comes* database or otherwise, it must immediately supplement its answers to the interrogatories in question pursuant to the obligation imposed upon it by Fed. R. Civ. P. 26(e).

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

J. Frederick Motz
United States District Judge