

U.S. DISTRICT COURT

FILED

OCT 27 1998

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

CALDERA, INC.,

Plaintiff,

Vs.

MICROSOFT CORPORATION,

Defendant.

No. 2:96 CV 0645B

Judge Dee V. Benson
Magistrate Judge Ronald N. Boyce

ORDER

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On September 28, 1998, the above-captioned action came before the Court for a hearing on two motions: (1) Defendant's Expedited Motion to Extend the Dates Set Forth in the Fourth Scheduling Order and Expand the Deposition Limit [Court file no. 250]; and (2) Plaintiff's Expedited Motion to Declare Portions of Stefanie Riechel's Deposition Not Confidential [Court file no. 255].

Plaintiff Caldera, Inc., ("Caldera") was represented by Stephen D. Susman and Stephen J. Hill. Defendant Microsoft Corporation ("Microsoft") was represented by James S. Jardine. Having considered the parties' respective motions, the Court ruled at the hearing, and hereby ORDERS, as follows:

1. Defendant Microsoft's Expedited Motion to Extend the Dates Set Forth in the Fourth Scheduling Order and Expand the Deposition Limit is DENIED. However, the existing Fourth Scheduling Order is MODIFIED in the following respects.

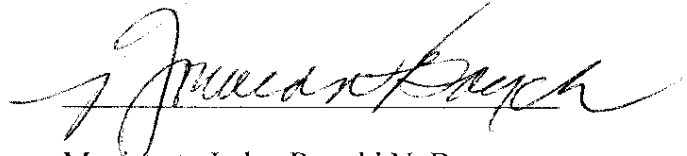
a. The discovery cut-off date for the deposition by Microsoft or Caldera of Caldera's undeposed trial witnesses (listed as "DRI/Novell/Caldera employees" in Exhibit C to Microsoft's reply brief [see Court file no. 260]) is hereby extended to November 13, 1998.

2. Plaintiff's Expedited Motion to Declare Portions of Stefanie Riechel's Deposition Not Confidential is DENIED.

IT IS SO ORDERED.

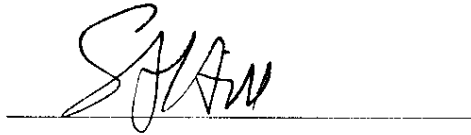
DATED this 27th day of October 1998.

BY THE COURT



Magistrate Judge Ronald N. Boyce

APPROVED AS TO FORM



Attorneys for Plaintiff, Caldera, Inc.

kam

United States District Court
for the
District of Utah
October 30, 1998

* * MAILING CERTIFICATE OF CLERK * *

Re: 2:96-cv-00645

True and correct copies of the attached were mailed by the clerk to the following:

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