

FILED  
NOV 3 1998  
BY: KLS  
DEPUTY CLERK

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

CALDERA, INC.,	)	
	)	
Plaintiff(s),	)	Case No. 96-CV-645 B
	)	
v.	)	
	)	
MICROSOFT CORPORATION,	)	ORDER
	)	
Defendant(s).	)	

Plaintiff, Caldera Inc., has made a motion to disqualify Microsoft Corporation's counsel from continuing to represent Microsoft employee Stefanie Reichel, who is not a party to this action. Plaintiff, in its motion and memorandum, has not addressed its standing to bring the motion. There is no suggestion Stefanie Reichel has objected to the arrangement or is unaware of possible conflicts or that she has not avoided any conflict that could be damaging to her. Plaintiff has not shown a specific and direct adverse impact on it from Microsoft's counsel's representation. There is no showing of what future conflict may exist. Therefore,

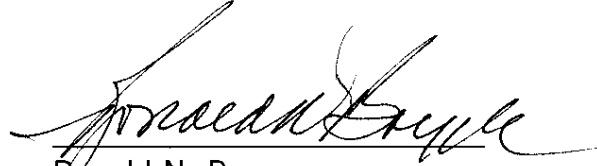
**IT IS HEREBY ORDERED** the plaintiff Caldera Inc. shall submit an amended motion and memorandum addressing its standing to bring the motion for disqualification. The amended motion and memorandum should be filed and

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served within fifteen (15) days of the receipt of this order. The defendant  
Microsoft may thereafter file its reply within the time provided for in DUCiv Rules.

**DATED** this 2<sup>d</sup> day of November, 1998.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read "Ronald N. Boyce", written over a horizontal line.

Ronald N. Boyce  
United States Magistrate Judge

kam

United States District Court  
for the  
District of Utah  
November 3, 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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