

FILED
NOV 30 1998
FEDERAL DISTRICT COURT
SEATTLE, WASHINGTON

STEPHEN D. SUSMAN
CHARLES R. ESKRIDGE III
THOMAS W. PATERSON
JAMES T. SOUTHWICK
SUSMAN GODFREY L.L.P.
1000 Louisiana, Suite 5100
Houston, Texas 77002-5096
Telephone: (713) 651-9366

PARKER C. FOLSE III
SUSMAN GODFREY L.L.P.
1201 Third Avenue, Suite 3120
Seattle, Washington 98101
Telephone: (206) 516-3880

MAX D. WHEELER (A3439)
STEPHEN J. HILL (A1493)
RYAN E. TIBBITTS (A4423)
SNOW CHRISTENSEN & MARTINEAU
10 Exchange Place, Eleventh Floor
Post Office Box 45000
Salt Lake City, Utah 84145
Telephone: (801)521-9000

RALPH H. PALUMBO
LYNN M. ENGEL
SUMMIT LAW GROUP
1505 Westlake Ave., Suite 300
Seattle, Washington 98109
Telephone: (206) 281-9881

Attorneys for Plaintiff

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

CALDERA, INC.

Plaintiff

vs.

MICROSOFT CORPORATION

Defendant.

**THIRD ORDER EXTENDING THE
TIME IN WHICH CALDERA, INC.
MAY RESPOND TO MICROSOFT
CORPORATION'S SECOND REQUEST
FOR ADMISSIONS TO PLAINTIFF
CALDERA**

Case No.: 2:96CV 0645B

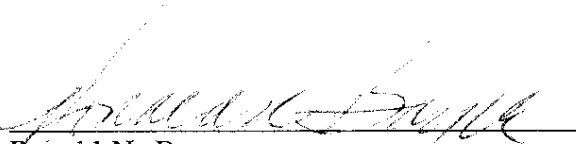
Judge Dee V. Benson
Magistrate Judge Ronald N. Boyce

321

Based upon the stipulation of the parties, Plaintiff, Caldera, Inc., is hereby granted an extension of time up to and including December 18, 1998 to respond to Microsoft Corporation's Second Request for Admissions to Plaintiff Caldera.

DATED this 30th day of November, 1998.

BY THE COURT:



Ronald N. Boyce
United States Magistrate Judge

Approved as to form:

RAY, QUINNEY & NEBEKER:



James S. Jardine
Mark M. Bettilyon
Valarie A. Longmire
John W. Mackay

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing document (Case Number 2:96CV 0645B, U.S. District Court, Central Division) were sent via Federal Express to:

Richard J. Urowsky
Steven L. Holley
Richard C. Pepperman, II
SULLIVAN & CROMWELL
125 Broad Street
New York, NY 10004

James R. Weiss
PRESTON, GATES, ELLIS & ROUVELS
MEEDS
1735 New York Avenue, N.W.
Washington, D.C. 20006

William H. Neukom
Thomas W. Burt
David A. Heiner, Jr.
MICROSOFT CORPORATION
One Microsoft Way
Building 8
Redmond, WA 98052

Michael H. Steinberg
Sullivan & Cromwell
444 South Flower Street
Los Angeles, California 90071-2901

and hand-delivered to:

James S. Jardine
Mark M. Bettilyon
RAY, QUINNEY & NEBEKER
79 South Main, #500
Post Office Box 45385
Salt Lake City, Utah 84145

P. Bruce Badger
Fabian & Clendenin
215 South State, #1200
Salt Lake City, Utah 84111

DATED this 30th day of November, 1998.

Melinda A. Larson

klh

United States District Court
for the
District of Utah
December 1, 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:

Mr. Max D Wheeler, Esq.
SNOW CHRISTENSEN & MARTINEAU
10 EXCHANGE PLACE
PO BOX 45000
SALT LAKE CITY, UT 84145-5000
JFAX 9,3630400

Stephen D. Susman, Esq.
SUSMAN GODFREY LLP
1000 LOUISIANA STE 5100
HOUSTON, TX 77002-5096

Charles R. Eskridge III, Esq.
SUSMAN GODFREY LLP
1000 LOUISIANA STE 5100
HOUSTON, TX 77002-5096
FAX 8,713,6543357

Ralph H. Palumbo, Esq.
SUMMIT LAW GROUP
1505 WESTLAKE AVE STE 300
SEATTLE, WA 98109

Parker C. Folse III, Esq.
SUSMAN GODFREY LLP
1201 THIRD AVE STE 3090
SEATTLE, WA 98101

James S. Jardine, Esq.
RAY QUINNEY & NEBEKER
79 S MAIN ST
PO BOX 45385
SALT LAKE CITY, UT 84145-0385
JFAX 9,5327543

Richard J. Urowsky, Esq.
SULLIVAN & CROMWELL
125 BROAD ST
NEW YORK, NY 10004

William H. Neukom, Esq.
MICROSOFT CORPORATION
BLDG 8S/2078
ONE MICROSOFT WAY
REDMOND, WA 98052

James R. Weiss, Esq.
PRESTON GATES ELLIS & ROUVELAS MEEDS
1735 NEW YORK AVE NW
WASHINGTON, DC 20006

Michael H. Steinberg, Esq.
SULLIVAN & CROMWELL
1888 CENTURY PARK EAST
LOS ANGELES, CA 90067