

DISTRICT COURT

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Attorneys for Defendant Microsoft Corporation

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

SCHEDULING ORDER

468

Defendant Microsoft Corporation (“Microsoft”) has filed nine motions for partial summary judgment. The Court has scheduled five dates for hearings on those motions, as follows:

<u>Hearing Date</u>	<u>Motions to Be Heard</u>
May 25, 1999 1:30 p.m.	Defendant’s Motion for Partial Summary Judgment on Plaintiff’s “Product Preannouncement” Claims Defendant’s Motion for Partial Summary Judgment on Plaintiff’s Product Disparagement (“FUD”) Claims
May 27, 1999 1:30 p.m.	Defendant’s Motion for Partial Summary Judgment on Plaintiff’s Claims Regarding Microsoft’s Licensing Practices
June 8, 1999 1:30 p.m.	Defendant’s Motion for Partial Summary Judgment on Alleged Intentional Incompatibilities Defendant’s Motion for Partial Summary Judgment on Plaintiff’s Claims of “Perceived Incompatibilities”
June 10, 1999 1:30 p.m.	Defendant’s Motion for Partial Summary Judgment on Plaintiff’s “Predisclosure” Claims Defendant’s Motion for Partial Summary Judgment on Plaintiff’s European and Japanese Claims Defendant’s Motion for Partial Summary Judgment on Plaintiff’s State Law Claim for Tortious Interference
June 16, 1999 1:30 p.m.	Defendant’s Motion for Partial Summary Judgment on Plaintiff’s Technological Tying Claim

By agreement between the parties:

1) Caldera shall file its opposing memoranda to the motions scheduled for hearing on May 25, 1999 no later than April 5, 1999, and Microsoft shall file its reply memoranda thereto no later than May 3, 1999.

2) Caldera shall file its opposing memorandum to the motion scheduled for hearing on May 27, 1999 no later than April 7, 1999, and Microsoft shall file its reply memorandum thereto no later than May 5, 1999.

3) Caldera shall file its opposing memoranda to the motions scheduled for hearing on June 8, 1999 no later than April 14, 1999, and Microsoft shall file its reply memoranda no later than May 12, 1999.

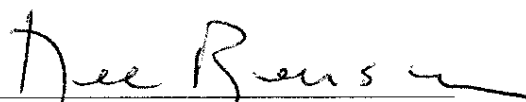
4) Caldera shall file its opposing memoranda to the motions scheduled for hearing on June 10, 1999 no later than April 16, 1999, and Microsoft shall file its reply memoranda thereto no later than May 14, 1999.

5) Caldera shall file its opposing memorandum to the motion scheduled for hearing on June 16, 1999 no later than April 23, 1999 and Microsoft shall file its reply memorandum thereto no later than May 21, 1999.

Caldera requests that this Court consider not deciding any of the motions until all the hearings have occurred. Microsoft has no objection to that request.

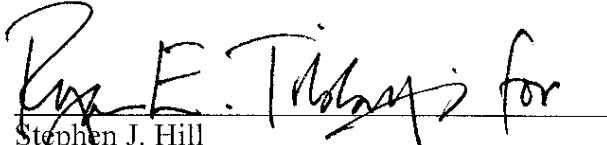
DATED this 22nd day of March, 1999.

BY THE COURT:


Hon. Dee V. Benson
United States District Judge


Approved As To Form:

SNOW, CHRISTENSEN & MARTINEAU



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RAY, QUINNEY & NEBEKER



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United States District Court
for the
District of Utah
March 24, 1999

* * 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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