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

CALDERA, INC.,	No. 2:96 CV 0645B
Plaintiff,	Judge Dee V. Benson Magistrate Judge Ronald N. Boyce
Vs.	AMENDED SCHEDULING ORDER
MICROSOFT CORPORATION,	
Defendant.	

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Defendant Microsoft Corporation (“Microsoft”) has filed nine motions for partial summary judgment. Plaintiff Caldera, Inc. (“Caldera”) has filed one motion to strike. The Court has scheduled six 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” Defendant’s Motion for Partial Summary Judgment on Plaintiff’s “Predisclosure” Claims
June 10, 1999 1:30 p.m.	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

June 29, 1999
2:30 p.m.

Caldera, Inc.'s Motion to Strike Microsoft's Partial
Summary Judgment Briefs


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 5, 1999.
- 2) Caldera shall file its opposing memorandum to the motion scheduled for hearing on May 27, 1999 no later than April 19, 1999, and Microsoft shall file its reply memorandum thereto no later than May 11, 1999.
- 3) *Caldera shall file its opposing memoranda to the motions scheduled for hearing on June 8, 1999 no later than April 19, 1999, and Microsoft shall file its reply memoranda no later than May 19, 1999.*
- 4) Caldera shall file its opposing memoranda to the motions scheduled for hearing on June 10, 1999 no later than April 20, 1999, and Microsoft shall file its reply memoranda thereto no later than May 20, 1999.
- 5) Caldera shall file its opposing memorandum to the motion scheduled for hearing on June 16, 1999 no later than April 28, 1999 and Microsoft shall file its reply memorandum thereto no later than May 28, 1999.
- 6) Caldera shall file its Reply Memorandum in Support of Motion to Strike Microsoft's Partial Summary Judgment Briefs no later than May 28, 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 17th day of May, 1999.

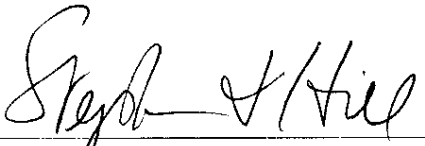
BY THE COURT:



Hon. Dee V. Benson
United States District Judge

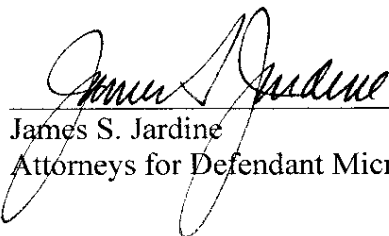
Approved As To Form:

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United States District Court
for the
District of Utah
May 21, 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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