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

CALDERA, INC.

Plaintiff

vs.

MICROSOFT CORPORATION

Defendant.

**ORDER GRANTING CALDERA'S
MOTION FOR LEAVE TO FILE
AMENDED COMPLAINT AND
GRANTING MICROSOFT'S MOTION
TO COMPEL**

Case No.: 2:96CV 0645B

Judge Dee V. Benson
U. S. Magistrate Judge Ronald N. Boyce

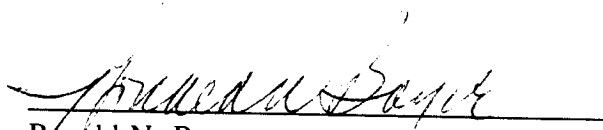
This matter came on regularly for hearing on January 28, 1998, before the Honorable Ronald N. Boyce on plaintiff Caldera Inc.'s Motion for Leave to File the Second Draft of Its First Amended Complaint, and Defendant's Motion to Compel Production of Documents Withheld on the Ground of the Attorney-Client Privilege. Ralph H. Palumbo, Stephen J. Hill and Ryan E. Tibbitts appeared on behalf of Caldera, Inc.; and James S. Jardine, Mark Bettilyon, and Steven J. Aeschbacher appeared on behalf of defendant Microsoft Corporation. The Court having considered the parties' memoranda, the arguments of counsel, the files and records herein, and being fully advised,

IT IS HEREBY ORDERED as follows:

1. Caldera is hereby granted leave to file an First Amended Complaint in the form attached hereto as Exhibit A which shall be deemed to have been filed as of the date of entry of this Order.
2. Microsoft's motion to compel production of documents withheld on the ground of the attorney-client privileged is granted. Caldera shall produce such documents to Microsoft in accordance with the Court's ruling as set forth in the transcript of the hearing.

DATED this 11th day of February, 1998.

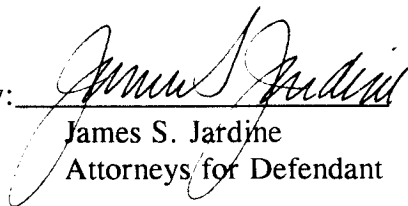
BY THE COURT:



Ronald N. Boyce
United States Magistrate Judge

Approved as to form:

RAY, QUINNEY & NEBEKER

By: 
James S. Jardine
Attorneys for Defendant

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United States District Court
for the
District of Utah
February 12, 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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