

ANDERSON & KARRENBERG  
Thomas R. Karrenberg (#3726)  
John P. Mullen (#4097)  
50 West Broadway, Suite 700  
Salt Lake City, UT 84101  
(801) 534-1700  
Attorneys for Novell, Inc.

RECEIVED  
OCT 22 1998  
U.S. MAGISTRATE

IN THE UNITED STATES DISTRICT COURT

STATE OF UTAH

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CALDERA, INC.,	)	
	)	<b>ORDER</b>
Plaintiff,	)	
	)	
vs.	)	Civil No. 2:96-CV 0645B
	)	
MICROSOFT CORPORATION,	)	Judge Dee V. Benson
	)	Magistrate Judge Boyce
Defendant.	)	
	)	
	)	

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Microsoft's Motion to Compel Novell, Inc. to Produce Documents as to Which Attorney-Client Privilege Has Been Waived or for Which Novell Has Failed to Support its Claims for Privilege came before this Court for hearing on October 9, 1998 at 1:30 p.m. The Court stated that it had read the memoranda of both parties, engaged in its own independent research, and had come to conclusions on the scope of a subject matter waiver to be imposed. The Court then set forth various governing and guiding principles. Pursuant to those principles set forth by the Court on the record in open Court,


THE COURT HEREBY ORDERS:

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Novell and Microsoft to meet and confer concerning the scope and extent of a waiver pursuant to the principles discussed by the Court. In this respect, Novell is to provide a more detailed privilege log by October 19, 1998.

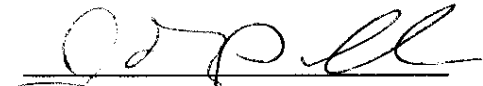
DATED this 23<sup>rd</sup> day of October, 1998.

BY THE COURT:

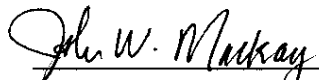
  
\_\_\_\_\_  
RONALD N. BOYCE  
United States District Court Magistrate Judge

**APPROVED AS TO FORM:**

ANDERSON & KARRENBERG

  
\_\_\_\_\_  
John P. Mullen, Esq.  
Attorneys for Novell, Inc.

RAY, QUINNEY & NEBEKER

  
\_\_\_\_\_  
John W. Mackay, Esq.  
Attorneys for Defendant  
Microsoft Corporation

United States District Court  
for the  
District of Utah  
October 26, 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  
FAX 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  
PFAX 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  
444 S FLOWER ST STE 1200  
LOS ANGELES, CA 90071