

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Caldera, Inc.

Plaintiff

v.

Microsoft Coporation,

Defendant.

RECEIVED-CLERK CASE NO. 2:96CF645B

DEC - 2 1998 appearing on behalf of:

U.S. DISTRICT COURT Plaintiff (Plaintiff/Defendant)

MOTION AND CONSENT OF DESIGNATED ASSOCIATE LOCAL COUNSEL

I, Stephen J. Hill / Ryan E. Tibbitts hereby move the pro hac vice admission of petitioner to practice in this Court. I hereby agree to serve as designated local counsel for the subject case; to readily communicate with opposing counsel and the Court regarding the conduct of this case; and to accept papers when served and recognize my responsibility and full authority to act for and on behalf of the client in all case-related proceedings, including hearings, pretrial conferences, and trials, should Petitioner fail to respond to any Court order.

This 2nd day of November, 19 98

A1493 / A4423

(Utah Bar Number)

[Signature of Ryan E. Tibbitts]

(Signature of Local Counsel)

APPLICATION FOR ADMISSION PRO HAC VICE

Petitioner, Philip S. McCune, hereby requests permission to appear pro hac vice in the subject case. Petitioner states under penalty of perjury that he/she is a member in good standing of the bar of the highest court of a state or the District of Columbia; is (i) X a non-resident of the State of Utah or, (ii) a new resident who has applied for admission to the Utah State Bar and will take the bar examination at the next scheduled date; and, under D.Ut. 103-1(d), has associated local counsel in this case. Petitioner's residence and office address, office telephone, the courts to which admitted, and the respective dates of admission are provided as required.

Petitioner designates Stephen J. Hill / Ryan E. Tibbitts as associate local counsel.

This 15 day of November, 19 98

[Signature of Philip S. McCune]

(Signature of Petitioner)

ORDER OF ADMISSION

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of Rule 103-1(b), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This 3rd day of December, 19 98

[Signature of Dee Benson]

U.S. District Judge

(OVER)

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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:

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and hand-delivered to:

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DATED this 2nd day of December, 1998.

Conni R. Cato

United States District Court
for the
District of Utah
December 7, 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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