

FILED
U.S. DISTRICT COURT

Richard J. Wallis
Steven J. Aeschbacher
MICROSOFT CORPORATION
One Microsoft Way
Redmond, Washington 98052
Phone: (425) 706-8080
Facsimile: (425) 936-7329
rwallis@microsoft.com
steveaes@microsoft.com

G. Stewart Webb, Jr.
VENABLE LLP
1800 Mercantile Bank & Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21201
Phone: (410) 244-7565
Facsimile: (410) 244-7742
gswebb@venable.com

Attorneys for Microsoft Corporation

Mark M. Bettilyon (478008)
Elaina M. Maragakis (7929)
RAY QUINNEY & NEBECKER
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145
Phone: (801) 532-1500
Facsimile: (801) 532-7543
mbettilyon@rqn.com
emaragakis@rqn.com

David B. Tulchin
Steven L. Holley
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Phone: (212) 558-4000
Facsimile: (212) 558-3588
tulchind@sullcrom.com
holleys@sullcrom.com

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

IN RE SUBPOENAS SERVED UPON SNOW,
CHRISTENSEN & MARTINEAU AND THE
CANOPY GROUP

Relating to the litigation pending in the United
States District Court for the District of Maryland
captioned *Novell, Inc. v. Microsoft Corp.*,
Civil Action No. JFM-05-1087 (Consolidated into
In re Microsoft Corp. Antitrust Litigation, MDL
Docket No. 1332)

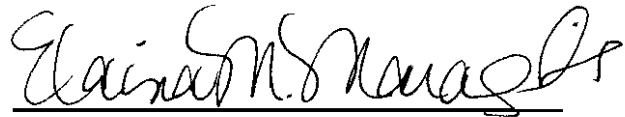
**MICROSOFT'S MOTION TO
COMPEL SNOW, CHRISTENSEN
& MARTINEAU TO PRODUCE
DOCUMENTS IN RESPONSE TO
TWO SUBPOENAS**

Case: 2:08mc00675
Assigned To : Benson, Dee
Assign. Date : 9/5/2008
Description: Novell v Microsoft

Microsoft Corporation (“Microsoft”) hereby moves this Court to compel Snow, Christensen & Martineau (“Snow Christensen” or “the firm”) to produce documents in response to two subpoenas pursuant to Fed. R. Civ. P. 45(c)(2)(B). By this Motion, Microsoft seeks an order compelling Snow, Christensen to (a) produce documents responsive to the Subpoena that was duly served on it on June 27, 2008, and to appear for a Rule 30(b)(6) deposition regarding the collection, identification and authentication of the documents to be produced; and (b) make available for inspection and copying approximately 158 boxes of papers and other materials located at Snow Christensen’s offices belonging to the firm’s former client, The Canopy Group, which has asked the firm to make these documents available to Microsoft for inspection. This motion is supported by Microsoft’s Memorandum in Support of Its Motion to Compel Snow, Christensen & Martineau to Produce Documents in Response to Two Subpoenas, the Declaration of Mark Bettilyon, and the exhibits submitted therewith.

DATED this 5th day of September, 2008

Respectfully submitted,



Richard J. Wallis
Steven J. Aeschbacher
MICROSOFT CORPORATION
One Microsoft Way
Redmond, Washington 98052
Phone: (425) 706-8080
Facsimile: (425) 936-7329
rwallis@microsoft.com
steveaes@microsoft.com

Mark M. Bettilyon
Elaina M. Maragakis
RAY QUINNEY & NEBEKER
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145
Phone: (801) 532-1500
Facsimile: (801) 532-7543
mbettilyon@rqn.com
emaragakis@rqn.com

G. Stewart Webb, Jr.
VENABLE LLP
1800 Mercantile Bank & Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21201
Phone: (410) 244-7565
Facsimile: (410) 244-7742
gswebb@venable.com

David B. Tulchin
Steven L. Holley
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, New York 10004
Phone: (212) 558-4000
Facsimile: (212) 558-3588
tulchind@sullcrom.com
holleys@sullcrom.com

Attorneys for Microsoft Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of September, 2008, I served by hand-delivery the foregoing **MICROSOFT'S MOTION TO COMPEL SNOW, CHRISTENSEN & MARTINEAU TO PRODUCE DOCUMENTS IN RESPONSE TO TWO SUBPOENAS** on the following:

Max D. Wheeler
Stanley J. Preston
SNOW, CHRISTENSEN & MARTINEAU
10 Exchange Place, Eleventh Floor
Salt Lake City, Utah 84145

Thomas R. Karrenberg
ANDERSON & KARRENBERG
50 W. Broadway, #700
Salt Lake City, Utah 84101

and mailed, First Class, postage prepaid, to the following:

Jeffrey M. Johnson
R. Bruce Holcomb
DICKSTEIN SHAPIRO LLP
1825 Eye Street N.W.
Washington, D.C. 20006-5403

Cheryl Wagner