

RECEIVED CLERK

JAN 10 2005

U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

NOVELL, INC.

Plaintiff

v.

MICROSOFT CORPORATION

Defendant.

CASE NO. 2:04 CV 1045 TS

Appearing on behalf of:

Defendant

(Plaintiff/Defendant)

MOTION AND CONSENT OF DESIGNATED ASSOCIATE LOCAL COUNSEL

I, James J. Jardine, 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.

Date: 1-10, 2005 [Signature] 1647
(Signature of Local Counsel) (Utah Bar Number)

APPLICATION FOR ADMISSION PRO HAC VICE

Petitioner, Kit A. Pierson, 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 DUCivR 83-1.1(d), has associated local counsel in this case. Petitioner's address, office telephone, the courts to which admitted, and the respective dates of admission are provided as required.

Petitioner designates James S. Jardine as associate local counsel.

Date: January, 2005 Check here if petitioner is lead counsel.

[Signature]
(Signature of Petitioner)

Name of Petitioner: Kit A. Pierson Office Telephone: (202) 912-2000
(Area Code and Main Office Number)

Business Address: Heller, Ehrman, White & McAuliffe LLP
(Firm/Business Name)
1666 K Street, NW, Washington, DC 20006

Street

City

State

Zip

21

BAR ADMISSION HISTORY

COURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
District of Columbia		4/11/86
Maryland		4/30/93
Maryland Court of Appeals		4/5/90
Supreme Court of the State of Michigan (inactive)		12/13/85
State of Oregon Supreme Court (inactive)		3/1/96
U.S. District of Columbia District Court		11/4/91
District of Columbia Court of Appeals		4/11/96

(If additional space is needed, attach separate sheet.)

PRIOR PRO HAC VICE ADMISSIONS IN THIS DISTRICT

CASE TITLE	CASE NUMBER	DATE OF ADMISSION

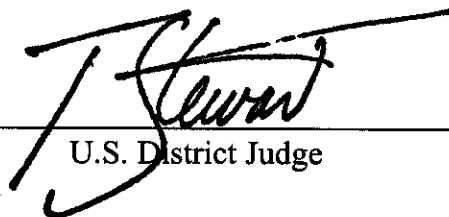
(If additional space is needed, attach a separate sheet.)

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ORDER OF ADMISSION

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), 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 11th day of January, 2005.



U.S. District Judge

**BAR ADMISSION HISTORY -- KIT A. PIERSON
(CONTINUED)**

COURTS TO WHICH ADMITTED	DATE OF ADMISSION
<u>U.S. Court of Appeals for the District of Columbia Circuit</u>	<u>4/7/00</u>
<u>U.S. Supreme Court</u>	<u>9/13/96</u>

United States District Court
for the
District of Utah
January 11, 2005

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:04-cv-01045

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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