

Exhibit 11

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

NOVELL, INC.,
Plaintiff,

- vs -

CIVIL ACTION NO.

JFM-05-1087

MICROSOFT CORPORATION, MEDIATOR: ERIC C. GREEN
Defendant.

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V I D E O T A P E D D E P O S I T I O N

DEPONENT: SCOTT ALAN KLIGER
DATE: Wednesday, February 25, 2009
TIME: 9:09 a.m.
LOCATION: Westin Hotel, Detroit Metro Airport
Romulus, Michigan
REPORTER: Angela R. Mitchell, CSR-2151

APPEARANCES:

DICKSTEIN SHAPIRO

BY: MS. MIRIAM R. VISHIO

MR. ALEX E. HASSID

1825 Eye Street NW

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(202) 420-3413

Appearing on behalf of
the Plaintiff.

SULLIVAN & CROMWELL, LLP

BY: MR. SCOTT RADER

125 Broad Street

New York, New York 10004

(212) 558-4256

Appearing on behalf of
the Defendant.

ALSO PRESENT:

MR. EDWARD BOIKE, Videographer

1 Corporation's Microsoft Office Professional, Version
2 4.3 gets the nod in this comparison.

3 A. Okay.

4 Q. Did you understand that as of July 1994,
5 a common interface was an important feature of
6 applications in terms of the suite being successful
7 in the marketplace?

8 MS. VISHIO: Objection, form.

9 THE WITNESS: As I said, you know, I
10 think any time you put products together, it's
11 important for consumers to be able to easily move
12 from one to the other, in terms of how they interact
13 with the products.

14 I mean, clearly, you know, this
15 article seems to state that for their reviewers, it
16 was important. But beyond that, it would, you know,
17 probably be hard for me to comment.

18 BY MR. RADER:

19 Q. In the second column, in the last
20 paragraph, the article states: WordPerfect
21 Corporation's Borland Office for Windows, Version
22 2.0 brings up the rear. The suite's integration
23 suffers from the fact that its major applications
24 come from two different companies - Borland and
25 WordPerfect - and the lack of a common interface

1 means users must spend more time mastering each
2 application.

3 Is this consistent with your
4 recollection as to the degree of integration of the
5 WordPerfect Suite as of July 1994?

6 A. It is.

7 Q. And how would that lack of integration
8 affect the consumer experience or the user
9 experience?

10 MS. VISHIO: Objection, form.

11 THE WITNESS: Again, as we said, you
12 know, consistency, consistency and ease of learning,
13 or lack thereof in this case.

14 BY MR. RADER:

15 Q. And as you were beginning your work on a
16 new version of WordPerfect for the Windows 95
17 platform, did you get an early version to start
18 working -- an early version of the platform to start
19 working with?

20 MS. VISHIO: Objection, form.

21 MR. RADER: What's the objection?

22 MS. VISHIO: An early version.

23 BY MR. RADER:

24 Q. Are you familiar with the term beta?

25 A. Yes, I'm very familiar with the term

1 beta.

2 Q. What is a beta?

3 A. Beta refers -- in software development,
4 beta refers to a version of the product that is
5 available prior to the actual commercial release of
6 the product.

7 The term's evolved some over time,
8 but at that point in time, it was a -- generally a
9 very limited release typically to software
10 development companies or others in the industry that
11 would need access to it in order to be -- have their
12 applications ready at the time that the commercial
13 release was available.

14 Q. And in fall 1993, while you were part of
15 the team working on a new version of WordPerfect for
16 the new versions of Windows, at any point did you
17 get a beta version of Windows to start working with?

18 A. We're talking about 32-bit versions of
19 Windows at this point in time, so that would be
20 Windows 95, which at the time had a code name
21 Chicago and Windows NT, I believe the version at the
22 time was 3.5.

23 Yes, beta versions of Chicago, what
24 will become Windows 95 were available by the fall of
25 1993. I don't remember the specific date, but they

1 were certainly available.

2 Q. Did you have a view at the time as to how
3 Microsoft was about making betas available?

4 MS. VISHIO: Objection, form.

5 THE WITNESS: Microsoft -- you know,
6 Windows 95 was obviously not released until 1995.
7 And probably for about two years prior to its
8 release, beta versions of it were available and were
9 available, you know, roughly every six months. I
10 believe there were -- I believe there were three,
11 possibly four releases of -- beta releases of
12 Chicago prior to the commercial version becoming
13 available.

14 BY MR. RADER:

15 Q. Could I ask you to look at Page 102 of
16 your prior transcript?

17 A. Sure. Are we done with this product --

18 Q. You can set that aside, yes.

19 A. Okay. 102. Okay.

20 Q. And Line 22, the question is asked: Now,
21 while you a part of this team working on a new
22 version of WordPerfect for the new versions of
23 Windows, Windows 95, at any point did you get a beta
24 version, an early release of the Windows to start
25 working with?

1 Answer: Yeah. Microsoft was really
2 good about putting betas of Chicago Windows 95 out.

3 A. Okay.

4 Q. Do you recall -- Does this refresh your
5 recollection or do you agree that Microsoft was
6 really good at putting out betas of Chicago?

7 MS. VISHIO: Objection, form.

8 THE WITNESS: As I said, you know,
9 there was certainly a beta available by the time I
10 started working on it, and I know there were
11 subsequent beta releases, but I don't remember how
12 many there were. There were certainly enough in
13 order to do the job that I was being asked to do at
14 the time.

15 BY MR. RADER:

16 Q. Again, beginning in fall 1993 and
17 continuing until you left WordPerfect, did you
18 attend any developers' conferences held by
19 Microsoft?

20 A. I did. I believe there were two. From
21 fall of '93, I believe I would have attended one
22 after that, and I think that was at the spring of
23 '94.

24 Q. Do you recall where it was?

25 A. Spring of '94 would have been in