Exhibit 21

```
 1

 2        IN THE UNITED STATES DISTRICT COURT

 3           FOR THE DISTRICT OF MARYLAND

 4

 5   _____

 6   IN RE MICROSOFT CORP.    MDL Docket No. 1332
     ANTITRUST LITIGATION     Hon. J. Frederick Motz
 7
     This Document Relates to:
 8   Novell, Inc. v. Microsoft Corporation,
     Civil Action No. JFM-05-1087
 9   _____

10

11

12           Deposition of Ronald S. Alepin

13                  Washington, D.C.

14                 August 20, 2009

15

16

17

18

19

20

21   Reported by:  Bonnie L. Russo

22   Job No. 70774
```

 1

 2

 3

 4

 5

 6   August 20, 2009

 7   9:00 a.m.

 8

 9

10   Deposition of Ronald S. Alepin held at:

11

12   Sullivan & Cromwell, LLP

13   1701 Pennsylvania Avenue, N.W.

14   Washington, D.C.

15

16

17

18

19

20

21   Pursuant to Notice, when were present on behalf

22   of the respective parties:

```
 1    APPEARANCES:

 2    For the Plaintiffs:

 3           DAVID L. ENGELHARDT, Esq.

 4           ALEX E. HASSID, Esq.

 5           ANDREW SMITH, Esq.

 6           ERIN WILCOX, Esq.

 7           DICKSTEIN SHAPIRO, LLP

 8           1825 Eye Street, N.W.

 9           Washington, D.C. 20006

10           202-420-3413

11

12

13    For the Defendant

14           STEVEN L. HOLLEY, Esq.

15           NURI G. FRAME, Esq.

16           SULLIVAN & CROMWELL, LLP

17           125 Broad Street

18           New York, New York 10004

19           212-558-4737

20

21

22
```

1   Q.   I understand that general

2   accusation, but what I don't understand is what

3   it was that Novell needed to do in its File

4   Open dialog in PerfectOffice or whatever you

5   want to call it, PerfectFit, whatever they call

6   this stuff, that it couldn't do by enumerating

7   the namespace using API's which I think

8   everyone accepts, remained in the system and

9   remained documented throughout?

10   A.   I think I understand the question

11   now. Thank you.

12   Q.   Okay.

13   A.   The basic goal that Novell had set

14   for this namespace browsing capability was the

15   ability to add namespaces of its own conception

16   to the -- to what are called the shell

17   namespaces. Which included my computer, the

18   briefcase, network neighborhood, and et cetera,

19   and it needed to do that in order to provide

20   functionality and to -- that would leverage its

21   quick-find technology that would leverage its

22   networking technology and even its clip art.

 1   So it needed the ability to add namespaces to

 2   the shell namespace and to be able to maintain

 3   those regardless of whether the user was within

 4   the WordPerfect window or outside of the

 5   WordPerfect window.

 6   Q.   Why did they need that second part?

 7   Who was going go to the Windows Explorer and

 8   clip on a namespace called WPClipart? Just

 9   why?

10   A.   I believe the plan in 1993 and 1994

11   as Microsoft saw it, and the potential as

12   WordPerfect and Novell saw it in 1993 and '94

13   and has it has continued through to today, was

14   that this capability was significant and

15   amenable to more than just clip art, to add all

16   manner of things, and that it was important for

17   the user to have the same namespaces available

18   to him on his desktop as he had when he was

19   within a particular application during the file

20   open. Microsoft developed the file open

21   dialogues for Office to present the user with

22   the same view on his data sources as he has

1   when he is in Windows Explorer. There is a

2   reason for that. There is a reason that I

3   believe comes from what user's expectations

4   are, that you should have the same sort of

5   information sources available to you regardless

6   of where you go through the computer.

7   Q.   So if I -- I just want to make sure

8   that the roles -- we're talking about the same

9   things. You do accept the proposition, do you

10   not, that using the APIs that remained

11   documented throughout, Novell was perfectly

12   able to create a file browser with whatever

13   custom folders it wanted?

14   A.   Novell was capable of creating a

15   file browser. Do you mean it could have used

16   Chico Ap?

17   Q.   No. It could have used TreeView,

18   ListView, and created a complete replica of

19   what the Windows Explorer looked like inside of

20   its File Open dialog with a special folder

21   called NetWare, a special folder called

22   Clipart, a special folder called WP document

1   management, and that File Open dialog would

2   have been available inside of every component

3   application of PerfectOffice.

4   A.   I understand that that is the case,

5   but it would not have been available as part of

6   the shell view.

7   Q.   So we have gotten down now to the

8   point where all we're talking about is the fact

9   that if I was not inside a WordPerfect

10   application, and I went to the Windows

11   Explorer, I couldn't see the custom NetWare

12   folder in the Windows Explorer?

13   MR. ENGELHARDT: Object to form.

14   Please answer.

15   THE WITNESS: I'm sorry. I lost the

16   question.

17   BY MR. HOLLEY:

18   Q.   Sure. I want to just make we are

19   all talking about the same thing. So as I

20   understand your prior answer, what we are now

21   saying is that the thing that hurt Novell was

22   its inability outside the context of its

1   applications to add custom folders to the

2   Windows Explorer?

3   A.   To add and to the ability to

4   activate and interact with the applications

5   that are the data sources that were in the

6   left-hand data source -- I forget the name, and

7   the right-hand side, just as had been the

8   vision of Bill Gates and others, that people

9   need to move to a document centric, not a

10   program-centric world, and that when you

11   present information to the user, the user

12   should be able to click on it and activate the

13   application that are associated with the left

14   side to the right side.

15   Q.   Did you consider the testimony from

16   Steve Sinofsky and Brad Silverberg and perhaps

17   others, that they regarded Gates's vision of

18   people living in the Windows Explorer as

19   ridiculous?

20   MR. ENGELHARDT: Object to form.

21   Characterization.

22   THE WITNESS: I considered -- I read

1   the letters and considered the e-mails, yes, I

2   did.

3   BY MR. HOLLEY:

4   Q.   And in your experience, after the

5   release of Windows 95, how many user's first

6   instinct was to open a program by going to the

7   Windows Explorer as opposed to going to the

8   start menu or clicking an icon on the desktop

9   that was associated with an executable file?

10   A.   I don't think I have numbers, but

11   the -- to cite, but first of all, we have to

12   start with the fact that we are in Windows 3.1

13   world, and we're moving to a Windows 95 world,

14   and the paradigm is shifting. I think I

15   described a little bit about the paradigm shift

16   that is represented by having users think about

17   and work with documents first, and the second

18   thing -- so the first instinct of users when

19   they first encounter the system may have been

20   and I believe it was different from the way

21   users behaved over time. What has been a

22   surprising success, for example, is the way