

COURT OF CHANCERY
OF THE
STATE OF DELAWARE

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Submitted: October 7, 2004
Decided: November 1, 2004

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Re: *Supply Chain Consultants, Inc. v. Aspen Technology*
Civil Action No. 208-N

Dear Counsel:

This is the Court's ruling on plaintiff Supply Chain Consultants, Inc.'s Motion to Compel Discovery filed on October 7, 2004. As of today's date, defendant Aspen Technology, Inc. has not filed a response to the motion. On October 18, 2004, defendant provided supplemental responses to plaintiff's first set of interrogatories. Because plaintiff's motion was not wholly mooted due to defendant's partial compliance, and good cause appearing, the Court hereby GRANTS plaintiff's Motion to Compel Discovery.

Defendant is hereby ORDERED, by November 6, 2004, to: (i) produce all documents responsive to Plaintiff's First Document Requests Directed to Defendant, as modified by the August 18, 2004 Letter Agreement of Counsel, including all responsive electronic mails; (ii) serve complete written and verified responses to Plaintiff's First Set of Interrogatories Propounded to the Defendant, and Plaintiff's First Document Requests Directed to Defendant, to the extent that such production or responses were not made on October 18, 2004; and (iii) produce to plaintiff a complete and fully updated royalty tracking spreadsheet in the form attached to the August 18, 2004 Letter Agreement of Counsel.

Plaintiff's request for attorney's fees and costs is DENIED at this time, but failure to timely comply with this Order may result in the award of such fees and costs and other appropriate sanctions under Court of Chancery Rule 37.

IT IS SO ORDERED.

Very truly yours,

/s/ William B. Chandler III

William B. Chandler III

WBCIII:amf