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 CLIFFORD CHANCE LLP, DANIEL HARRIS
 7 and RONALD ALEPIN

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 *In re*
 13 Application of
 14 MICROSOFT CORPORATION,
 15 Applicant,

Case No. 06-80038 JF (PVT)

**SUPPLEMENTAL DECLARATION OF
 CHRISTOPHER S. YATES IN SUPPORT OF
 RESPONSE TO MICROSOFT'S
 OBJECTIONS TO ORDER QUASHING
 SUBPOENAS TO ORACLE
 CORPORATION, CLIFFORD CHANCE
 LLP, DANIEL HARRIS AND RONALD
 ALEPIN**

Date: To be set
 Time: To be set
 Place: To be set
 Before: Hon. Jeremy Fogel

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Christopher S. Yates declares and says:

1. I am a member of the bar of the State of California, and a partner with the law firm of Latham & Watkins LLP, counsel for Oracle Corporation, Daniel Harris, Ronald Alepin, and Clifford Chance LLP in this matter. I have personal knowledge of the facts set forth below and, if called upon to do so, I could and would testify competently thereto.

2. Attached as Exhibit A is a true and correct copy of “Memorandum and Order,” which I caused to be downloaded from the ECF system for the United States District Court for the District of Massachusetts

3. Attached as Exhibit B is a true and correct copy of “Memorandum of the Commission of the European Communities In Support of Novell, Inc.’s Motion To Quash,” which I caused to be downloaded from the ECF system for the United States District Court for the District of Massachusetts.

4. Attached as Exhibit C is a true and correct copy of “Microsoft Corporation’s Response to Reply of Novell, Inc., which I caused to be downloaded from the ECF system for the United States District Court for the District of Massachusetts.

5. Attached as Exhibit D is a true and correct copy of “Reply Memorandum of the Commission of the European Communities in Support of Novell, Inc.’s Motion to Quash,” which I caused to be downloaded from the ECF system for the United States District Court for the District of Massachusetts.

I executed this declaration on this 17th day of April, 2006 at Wailea, Hawaii.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/S/
CHRISTOPHER S. YATES

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