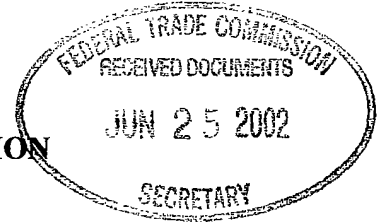


UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION



\_\_\_\_\_  
IN THE MATTER OF )  
MSC.SOFTWARE CORPORATION, )  
a corporation. )  
\_\_\_\_\_ )

PUBLIC VERSION

Docket No. 9299


**MSC's NOTICE OF WITHDRAWAL OF ITS MOTION TO REMEDY**  
**JIM CASHMAN'S REFUSAL TO APPEAR FOR HIS DEPOSITION AS MOOT**

On Friday, January 21, 2002, Mr. Cashman appeared for his deposition. At MSC's request, MSC was given additional time to complete its examination (beyond the seven hours ANSYS has historically sought to impose on MSC). MSC therefore withdraws its request that this Court order Mr. Cashman to appear for his deposition.

MSC, however, continues its request for a ruling on (i) Dr. Schaeffer's refusal to answer questions regarding his deposition preparation with ANSYS's counsel; and (ii) Mr. Cashman's refusal to answer questions relating discussions he may have had with third-parties relating to the issue of remedies.

Significantly, during Mr. Cashman's deposition, Mr. Donovan, ANSYS's counsel, directed Mr. Cashman not to answer questions relating to

Respectfully submitted,



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*Counsel for Respondent  
MSC.Software Corporation*

Dated: June 25, 2002

## CERTIFICATE OF SERVICE

This is to certify that on June 25, 2002, I caused a copy of the non-public, and public versions of MSC's Notice of Withdrawal of its Motion to Remedy Jim Cashman's Refusal to Appear For His Deposition as Moot to be served upon the following persons by hand delivery:

Honorable D. Michael Chappell  
Administrative Law Judge  
Federal Trade Commission  
600 Pennsylvania Av Avenue, N.W.  
Washington, DC 20580

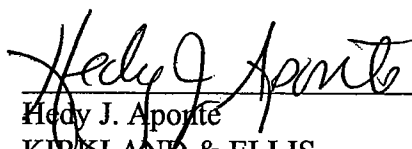
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Richard B. Dagen, Esq.  
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Karen Mills, Esq.  
Federal Trade Commission  
601 Pennsylvania Avenue, N.W.  
Washington, DC 20580

and that I caused a copy of the non-public and public versions of MSC's Notice of Withdrawal of its Motion to Remedy Jim Cashman's Refusal to Appear For His Deposition as Moot to be served upon the following person by facsimile and overnight mail:

Thomas A. Donovan  
Kilpatrick & Lockhart, LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222



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Hedy J. Aponte  
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