

Juror # \_\_\_\_\_

## **SUPPLEMENTAL JUROR QUESTIONNAIRE**

This questionnaire has been approved by the Court and is to be filled out by each prospective juror in this case. This information is designed solely to save time and assist the Court and the parties in selecting jurors for the trial. This information will not be used for any other purpose except to select a jury.

The questions asked in this questionnaire could be asked in open court. You are given more privacy by answering them in this questionnaire. **YOU ARE UNDER OATH AND ARE REQUIRED TO ANSWER THE QUESTIONS TRUTHFULLY. THE INFORMATION PROVIDED IS EXCLUSIVELY FOR SELECTION OF JURORS. YOUR ANSWERS MUST BE COMPLETE AND ACCURATE, UNDER PENALTY OF PERJURY.** Please read each question carefully and answer each question completely. Please write your answer clearly and firmly.

As you are filling out the questionnaire, you are instructed not to discuss your answers with anyone, including your fellow jurors. It is important that your answers be yours and yours alone.

Please answer each question as fully as you can. Being open and honest with your answers is critical. These questions are not meant to invade your privacy, but to help select a fair and impartial jury for this case. There may be some questions that touch on matters that you consider personal, private or otherwise sensitive. In order to select a fair and impartial jury, however, it is important that the Court and the lawyers have your complete and truthful answers to these kinds of questions.

Do not leave any questions blank. If a question does not apply to you in any way, write "N/A" (for "not applicable"), rather than leaving the form blank. If you do not understand the question or do not know the answer, please write that response in the space provided for the answer. If you feel the answer is too personal, please say so in the space provided. You will have the opportunity to discuss your answer privately. If you need more space for your response, or wish to make further comments about any question, please use the extra sheet attached to the back of the questionnaire; do not write on the back of any page. If you use the explanation sheets, please be sure to indicate which numbered question you are answering.

From this moment going forward, and until you are released from the jury selection process, you must not communicate with anyone about this case or your role as a prospective juror, including your family and friends. This is because the court requires you to use only the information/evidence you receive in court to make your decisions and to be free from outside influences. You must not read anything about the case or listen to any reports about the case. In addition, do not communicate about or do any research about the case, the parties, the attorneys, or the case issues by any means, including through your cell phone, through email, Blackberry, iPhone, text messaging, or on Twitter, through any blog or website, through any internet chat room, or by way of any posting or other use of any social networking websites, including, but not limited to Facebook, My Space, LinkedIn, and YouTube.

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**PART I**

Please provide the information requested in the place provided, and clearly circle your choice when presented with options for your answers:

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Sex: Male / Female

City/Town of residence: \_\_\_\_\_ County \_\_\_\_\_ Zip Code: \_\_\_\_\_

1. Are you a registered voter in the state of Utah? Yes No
2. Have you ever been convicted of a felony? Yes No
3. Do you have any difficulty reading, speaking, or understanding English? Yes No
4. Do you have any religious or philosophical beliefs that would prevent you from sitting in judgment of another person?

Yes No If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

5. Do you have any health problems (e.g. sight, hearing, emotional, etc.) which may influence your service as a juror?

Yes No If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

If yes, have you used any medical aids to assist you in dealing with such a problem?

Yes No If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

6. Do you require regular or frequent medication or medical care and attention?

Yes No If yes, please describe the nature of the medication, its effect on you, and the frequency of taking such medication: \_\_\_\_\_

\_\_\_\_\_

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**It is estimated that this trial will last for approximately eight weeks, beginning October 18, 2011. Trial is scheduled from 8:30 to 1:30 each weekday with some Fridays off. Trial will not be in session on these dates: October 21, 28, 31, and November 1-4, 11, 24, 25, 2011.**

7. Do you have any personal, employment or family activities or obligations that would make it difficult to serve as a juror?

Yes      No

If yes, check the answer that best describes those problems:

\_\_\_\_\_ I won't get paid by my employer during jury service.

\_\_\_\_\_ I am self-employed and will not be able to run my business during jury service.

\_\_\_\_\_ I have physical disabilities that would make jury service difficult.

\_\_\_\_\_ I have a family member with a medical or other condition who requires my attention.

\_\_\_\_\_ I have young children and cannot arrange alternative child care.

\_\_\_\_\_ I have vacation plans during the course of this trial that cannot be rescheduled.

\_\_\_\_\_ Other (please describe): \_\_\_\_\_

8. Please describe any problems that would make it difficult for you to concentrate on this case:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## PART II

9. Do you own or rent?      Own      Rent      Live with Parents      Other

How long have you lived at your current address? (circle your choice)

Less than 1 year      1-3 years      4-6 years      7-10 years      More than 10 years

Approximately how long have you lived in Utah? \_\_\_\_\_ years

If applicable, where did you live previous to Utah? \_\_\_\_\_ Years? \_\_\_\_\_

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10. What is your highest level of education (circle your choice)?

Less than High School      Some High School      High School/GED

Some College      College Degree      Graduate Degree

Please identify all post high school education and/or training you have received, including trade schools and/or colleges you have attended and the degrees obtained:

Training/College	Years Attended	Degrees Obtained

Please list all major areas of study undertaken for any post high school education and/or other study/training, including any major areas outside of any degrees you obtained:

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11. Which of the following best describes your current work status (please circle):

Employed Full-Time      Employed Part-Time      Unemployed      Retired

Disabled      Homemaker      Student

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12. Please list all the jobs you have had in the past 10 years, starting with any current employment and working backwards. In describing your job duties, please include whether you supervise employees and/or have the right to hire, fire or promote.

Employer	Years	Job Title	Job Duties

13. In your current (most recent) job, do you (did you) supervise others?    Yes    No

If yes, how many? \_\_\_\_\_

14. What is your current marital status? (circle your answer)

Married    Single    Divorced    Widowed    Living with partner

For how long have you had this marital status? \_\_\_\_\_ years

15. If you have a current or former spouse/partner, what was his/her highest level of education?

Less than High School    Some High School    High School/GED

Some College    College Degree    Graduate Degree

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If you have a current or former spouse/partner, please list all the jobs he/she has had in the past 10 years, starting with any current employment and working backwards.

Employer	Years	Job Title	Job Duties

16. Do you have children?    Yes    No

If yes, list their gender, ages and occupations:

Gender	Age	If adult child, list occupation and how often you see him/her

17. Have you or a family member ever owned or run a business?

Yes, self    Yes, family    No

If yes, was that business successful?    Yes    No

18. Have you ever filed any of the following types of claims? (If so, circle type of claims)

Bankruptcy    Small claims    Disability    Workers' compensation

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19. Have you or anyone close to you ever had any financial interest in a company that provided information technology support or computer services to businesses or individuals?

Yes, self      Yes, someone close      No

Name of the company: \_\_\_\_\_

Type of business: \_\_\_\_\_

What type of financial interest: \_\_\_\_\_

20. Please list any professional, community, or social clubs or organizations you belong to, any office you have held in that organization(s), and how long you held that office:

Name of Organization	Office Held	Years

21. Have you or any immediate member of your family or close friend been employed in any of the following fields? (Check only where applicable.)

Employer	Self	Family Member	Close Friend
Computers/Information Technology/Software Development			
Finance/Accounting			
Fund Management/ Stocks/Trader/Finance Consultant			
Legal Services/Attorney			
Scientific/Engineering/Technical			

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22. Where do you get most of your news? (Check all that apply)

- \_\_\_\_\_ Newspaper? Which ones? \_\_\_\_\_
- \_\_\_\_\_ Magazines? Which ones? \_\_\_\_\_
- \_\_\_\_\_ Television? Which stations? \_\_\_\_\_  
Which programs? \_\_\_\_\_
- \_\_\_\_\_ Radio? Which stations? \_\_\_\_\_  
Which programs? \_\_\_\_\_
- \_\_\_\_\_ Talk radio? Which programs? \_\_\_\_\_
- \_\_\_\_\_ The Internet? What web sites? \_\_\_\_\_

23. Which of the following sections of the newspaper do you read regularly? (Check all that apply)

- \_\_\_\_\_ Local News
- \_\_\_\_\_ National News
- \_\_\_\_\_ Business
- \_\_\_\_\_ Sports
- \_\_\_\_\_ Obituaries
- \_\_\_\_\_ Editorials
- \_\_\_\_\_ Horoscopes
- \_\_\_\_\_ Comics
- \_\_\_\_\_ Don't read the newspaper

24. Do you regularly read business news? Yes No

25. How often do you visit financial websites to check on things like stock prices, performance and predictions?

Often Sometimes Rarely Never

26. What are your favorite television programs and why? \_\_\_\_\_

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27. Have you ever written a letter to the editor of a newspaper or called a talk radio show?

Yes      No

If yes, what was the topic? \_\_\_\_\_

28. How would you describe your political philosophy:

\_\_\_\_\_ Very Conservative

\_\_\_\_\_ Conservative

\_\_\_\_\_ Moderate

\_\_\_\_\_ Liberal

\_\_\_\_\_ Very Liberal

### **PART III**

29. What is your opinion of large corporations in general?

Very favorable      Somewhat favorable      Somewhat unfavorable      Very unfavorable

30. Have you ever felt victimized by unfair treatment by a corporation?

Yes, frequently      Yes, sometimes      Yes, rarely      No

31. How would you rate your financial situation during the last few years?

Getting better      Staying the same      Getting worse

32. How much have you been personally affected by our current economic conditions?

Very much      Somewhat      Not at all

33. Who do you think is most to blame for our current economic conditions? (Select only one)

Consumers                      Government                      Large corporations

Financial institutions                      Other: \_\_\_\_\_

### **PART IV**

34. Do you own a computer?    Yes      No

If yes, what type?:      P.C. that runs Windows or DOS      Apple/Macintosh      Both

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35. Do you use a computer at home, at work, or both?

Home      Work      Both home and work      I don't use a computer

36. When did you first start using a computer?

Prior to 1980      1980-1985      1986-1990      1991-1996      After 1996

37. Do you prefer to use a:      PC      Mac      Either

38. How often do you use a computer at home and/or work on average during the work week?

More than 6 hours per day      4-6 hours per day

1-3 hours per day      Less than one hour per day

39. Which of the following web browsers do you most often use?

AOL      Netscape      Internet Explorer      Firefox      Safari      Chrome

40. Do you find the subjects dealing with computer technology:

Interesting      Boring      Somewhere in between

41. Do you regularly read computer technology magazines or publications?      Yes      No

42. Have you ever used any of the following computer operating systems?

Operating System	Yes	No	Don't Know
MS DOS			
IBM OS			
Microsoft Windows			
Unix			
Linux			
BSD (Berkley Software Distribution)			
MAC OS			

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43. Does the computer you currently use have an Office Suite of programs pre-installed on it (e.g. Word, Excel, PowerPoint)?

Yes, it was pre-installed      It was purchased separately      Don't know

44. Have you ever used any of the following word processing software?

Word Processing Software	Yes	No	Don't Know
WordPerfect			
Microsoft Word			

45. Have you ever used any of the following Office Suites (group of computer programs packaged together)?

Office Suite	Yes	No	Don't Know
Lotus SmartSuite			
Microsoft Office			
PerfectOffice			
WordPerfect Office			
Other: _____ _____ Please write in other suites you have used			

46. How often do you currently use Microsoft Word?

Several times per day      Once per day      Weekly      Monthly      Rarely      Never

47. Did/do you use WordPerfect?      Yes      No

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48. Would you say that you have more knowledge or experience with using, repairing and/or programming computers than the “average person” has?

Yes, definitely      Yes, probably      No

If yes, in what area is your knowledge? \_\_\_\_\_

How did you gain that knowledge or experience? \_\_\_\_\_

\_\_\_\_\_

49. Have you ever written or developed a software program?    Yes      No

If yes, please tell us about it. \_\_\_\_\_

\_\_\_\_\_

50. Have you ever tested an early version or beta version of a software program?    Yes      No

If yes, tell us about it. \_\_\_\_\_

51. Have you ever removed the housing, or box from a personal computer and looked inside?

Yes      No

If yes, why: \_\_\_\_\_

\_\_\_\_\_

**PART V**

This case is entitled Novell, Inc., v. Microsoft Corporation. The issues in this case relate to these companies and WordPerfect Corporation.

52. What is your opinion of Novell, Inc.?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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53. What is your opinion of Microsoft?

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54. Before today, have you heard, read or seen any news reports concerning this lawsuit?

Yes    No

If yes, what have you heard? \_\_\_\_\_

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55. Have you ever heard about any other lawsuits involving Microsoft or Novell?    Yes    No

If yes, what have you heard? \_\_\_\_\_

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56. If the judge asked you to promise not to read or watch any news about this case or discuss this case with others, could you make and keep that promise?

Yes    No    If no, please explain: \_\_\_\_\_

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57. Are you or have you ever been personally affiliated with an employee, officer or director of Novell?

Yes    No

If yes, please indicate the person with whom you are/were associated and the nature of that relationship:

Name of Person	Describe Relationship

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58. Are you or have you ever been personally affiliated with an employee, officer or director of Microsoft?

Yes No

If yes, please indicate the person with whom you are/were associated and the nature of that relationship:

Name of Person	Describe Relationship

59. How would you rate your opinion of the following:

	Very Favorable	Somewhat Favorable	Somewhat Unfavorable	Very Unfavorable	Don't Know
Bill Gates					
Robert Frankenberg					
Microsoft Corporation					
Novell, Inc.					
Word Perfect Corporation					
Corel Corporation					

60. Are you familiar with the Department of Justice's trial in 1999 against Microsoft alleging they maintained a monopoly in the operating systems market?

Yes No

**PART VI**

61. Have you, or anyone in your household, ever been a party or a witness in a civil or criminal court case? Please include involvement in ANY legal proceedings, including being a victim of a crime, giving a deposition, being a plaintiff (the one suing), being a defendant (the one being sued / charged with a crime), witness, divorces, bankruptcies, or foreclosures.

Yes No

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If yes, please give the details below:

Type of Case (Civil, Criminal, Divorce, etc.)	Role (victim, plaintiff, defendant, witness, etc.)	Year	Outcome (dismissed, settled, tried to verdict, etc.)

62. Have you experienced any of the following?

	Yes	No
Served as a juror on a criminal trial?		
Served as a juror on a civil trial?		
Served as the foreperson on a jury?		

63. The following are the lawyers and law firms associated with this litigation. If you are acquainted or associated with any of the following attorneys, please check yes next to the name(s) and describe the nature of the acquaintance or association below:

<b>Law Firms/Attorneys</b>	<b>Nature of Association</b>
Dickstein Shapiro LLP: <input type="radio"/> Jeff Johnson <input type="radio"/> Paul Taskier <input type="radio"/> Adam Proujansky <input type="radio"/> Jason Wallach <input type="radio"/> Jim Martin <input type="radio"/> Miriam Vishio	
Williams & Connolly LLP: <input type="radio"/> John Schmidlein	
Snow, Christensen & Martineau: <input type="radio"/> Max D. Wheeler <input type="radio"/> Maralyn M. English	

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Novell, Inc.: ○ Jim Lundberg	
Adams Holcomb LLP: ○ R. Bruce Holcomb	
Sullivan & Cromwell LLP: ○ David Tulchin ○ Steven Holley ○ Sharon Nelles	
Microsoft Corp.: ○ Steve Aeschbacher	
Ray Quinney & Nebeker P.C.: ○ James S. Jardine ○ John W. Mackay ○ Justin T. Toth ○ Liesel B. Stevens	

64. The following are potential witnesses that may be called during the course of the trial. If you are acquainted or associated with any of the following individuals, please circle the name(s) and describe the nature of the acquaintance or association below:

<b>Witnesses</b>	<b>Nature of Association</b>
Ronald Alepin	
Robert Frankenberg	
Gary Gibb	
Adam Harral	
Roger Noll	
Gregory Richardson	
Frederick Warren-Boulton	



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David Bradford	
Norman Thomas Creighton	
Steven Giles	
Dana Russell	
Joe Belfiore	
John Bennett	
Karl Ford	
Bill Gates	
Dave Hallmeyer	
Scott Henson	
Glenn Hubbard	
Dave LeFevre	
Bob Muglia	
Kevin Murphy	
Satoshi Nakajima	

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Brad Struss	
David Acheson	
Craig Bushman	
Nolan Larsen	
Glen Mella	
Charles Middleton	
Donald Miller	
Willard Peterson	
Adrian Rietveld	
Clive Winn	
Stuart Jensen	

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65. Finally, is there anything that has not been asked, or anything at all that the court should know, that might affect your ability to either be a fair juror in this case or to serve as a juror in this case? If it is something personal or private, indicate below, and you'll be questioned about it privately, at sidebar, rather than in open court.

Yes      No      If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I declare under the penalty of perjury that I have given true and correct answers to the preceding questions.**

**Juror's Signature:** \_\_\_\_\_      **Date:** \_\_\_\_\_