



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Bureau of Competition

March 25, 2004.

Via Federal Express
Scott Pennock, Esq.
Dow Chemical Company
2030 Dow Center
Midland, MI 48674

Re: *In the Matter of Aspen Technology, Inc.*, Docket No. 9310

Dear Scott:

By this letter we are providing formal notice, pursuant to § 3.45(b) of the Commission's Rules of Practice, 16 C.F.R. § 3.45(b), that Complaint Counsel intend to place the documents enclosed with this letter on our exhibit list and intend to offer these documents into evidence in the administrative trial in this matter, which is scheduled to begin on May 26, 2004. All exhibits admitted into evidence become part of the public record unless in camera status is granted.

Under § 4.10(g) of the Commission's Rules of Practice, 16 C.F.R. § 4.10(g), you have "an opportunity to seek an appropriate protective or in camera order." Pursuant to the Commission's Rules, the Administrative Law Judge may order that material, whether admitted or rejected as evidence, be placed in camera only after finding that its public disclosure will likely result in a clearly defined, serious injury to the person or company requesting in camera treatment. For the standards applicable to the granting of in camera treatment, please see 16 C.F.R. § 3.45(b), as explained in *In re Dura Lube Corp.*, 1999 FTC LEXIS 255 (Dec. 23, 1999); *In re Hoechst Marion Roussel, Inc.*, 2000 FTC LEXIS 157 (Nov. 22, 2000) and 2000 LEXIS 138 (Sept. 19, 2000).

Under the Administrative Law Judge's Second Revised Scheduling Order, entered March 8, 2004, the deadline for in camera motions is April 23, 2004. Any motion must be supported by a declaration or affidavit by a person qualified to explain the nature of the evidence. Should you have any questions, please do not hesitate to contact Vadim Brusser at (202) 326-3617.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Charlotte Manning".

Charlotte Manning

Enclosures

Attachments:

- CX1412
- CX1415
- CX1419
- CX1410
- CX1411
- CX1414
- CX1417
- CX1418
- CX1413
- CX1416