

Exhibit A

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May 5, 2004

BY HAND DELIVERY AND FACSIMILE

Diana Dietrich, Esq.
Baker Botts, L.L.P.
The Warner
1299 Pennsylvania Avenue N.W.
Washington, DC 20004-2400

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

Dear Diana:

By this letter, Aspen Technology, Inc. ("AspenTech") is providing formal notice to HTRI, pursuant to FTC Rule of Practice 3.45(b), 16 C.F.R. § 3.45(b), that AspenTech may introduce the material identified on Attachment A into evidence in the administrative hearing in this matter which is scheduled to begin on May 26, 2004. A copy of each document is enclosed.

FTC Rule of Practice 3.45(b) allows for a third party to file for *in camera* treatment of this material with the Administrative Law Judge. Under the Second Revised Scheduling Order, please note the deadline for filing *in camera* motions has passed. Accordingly, you may want to file as soon as possible. For your convenience, we have attached a copy of this rule that sets forth the standard under which *in camera* treatment will be given.

Should you have any questions, please feel free to contact me.

Sincerely,



Tanya N. Dunne

Enclosures

Exhibit A

Attachment A

HTRI

Documents

Exhibit #	Beginning Bates #	Ending Bates #
RX-1594	00003	00015
RX-1595	00021	00022
RX-1596	10942	10942
RX-1597	00025	00026
RX-1598	01797	01798
RX-1599	01152	01157
RX-1600	12092	12093
RX-1601	10322	10333
RX-1602	09440	09449
RX-1611	10524	10543
RX-1612	11151	11151
RX-1613	04301	04302
RX-1614	16808	16810
RX-1615	11477	11478
RX-1616	03813	03814
RX-1617	09782	09783
RX-1618	09664	09667
RX-1619	13221	13222
RX-1620	01781	01781
RX-1621	01790	01790
RX-1622	01484	01488

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RX-1623	09629	09631
RX-1625	09499	09504
RX-1626	13347	13349
RX-1628	00018	00018
RX-1629	01741	01741
RX-1630	12703	12706
RX-1631	00954	00980
RX-1632	00407	00492
RX-1633	01772	01773
RX-1634	13219	13219
RX-1635	15128	15128
RX-1636	11381	11382
RX-1637	11383	11383
RX-1638	16584	16587
RX-1639	16484	16484
RX-1645	13220	13220
RX-1646	00030	00031
RX-1649	09400	09409
RX-1650	09410	09419
RX-1651	09420	09430
RX-1652	09429	09439
RX-1654	17001	17002



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

Bureau of Competition

Vadim M. Brusser

Attorney

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May 11, 2004

By Hand Delivery

Diana Dietrich, Esq.
Baker Botts L.L.P.
1299 Pennsylvania Ave. N.W.
Washington, D.C. 20004

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

Dear Ms. Dietrich:

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 was April 23, 2004. If HTRI intends to seek *in camera* treatment for any documents, it should file a motion immediately and note that discovery pertaining to HTRI was extended. Any motion must be supported by a declaration or

Exhibit A

affidavit by a person qualified to explain the nature of the evidence. Should you have any questions, please do not hesitate to contact me at (202) 326-3617.

Sincerely,

A handwritten signature in black ink that reads "Vadim Brusser". The signature is written in a cursive style with a long horizontal stroke at the end.

Vadim M. Brusser

Enclosures