

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION



In the Matter of)
)
MSC SOFTWARE CORPORATION,)
)
a corporation.)
_____)

Docket No. 9299

**MSC SOFTWARE'S RESPONSE TO THIRD-PARTY
HKS' MOTION TO EXTEND TIME TO
LIMIT OR QUASH SUBPOENA DUCES TECUM**

In light of the Court's March 5, 2002 Revised Scheduling Order and the efforts of MSC and third-party HKS to facilitate HKS' production of documents in response to MSC's subpoena duces tecum, MSC believes that HKS' motion to extend the time for it to move to limit or quash is unnecessary.

MSC and HKS counsel have engaged in several productive discussions geared toward HKS satisfying its obligations under MSC's subpoena *duces tecum* by producing responsive documents in its possession. Those discussions have resulted in the production of documents already and representations by HKS that remaining documents will be produced on a rolling basis in the upcoming week or two. As a result, the parties expect that HKS' production will likely be completed by the end of the month.

While it should be noted that MSC does not consent to or agree with the points made in HKS' motion, in light of the parties' discussions, MSC will not take issue with those points at this time. While MSC believes that the need for such a motion is unlikely, MSC reserves its rights to oppose any motion by HKS to limit or quash the subpoena duces tecum at issue.

With regard to HKS' motion for an extension, MSC believes that HKS' motion is unnecessary in light of the parties' discussions and HKS' efforts to produce responsive documents in its possession in a timely manner.

Respectfully submitted,



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Dated: March 18, 2002

CERTIFICATE OF SERVICE

This is to certify that on March 18, 2002, I caused a copy of the attached MSC Software's Response to Third-Party HKS' Motion to Extend Time to Limit or Quash Subpoena Duces Tecum to be served upon the following persons:

By Hand:

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