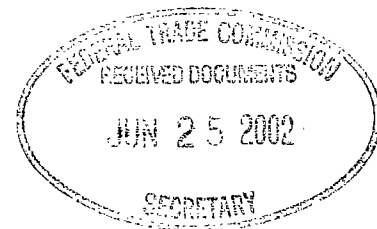


**UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION**



\_\_\_\_\_ )  
          ) **In the Matter of** )  
          ) )  
          ) **MSC SOFTWARE CORPORATION,** )  
          ) **a corporation.** )  
\_\_\_\_\_ )

**Docket No. 9299**

**COMPLAINT COUNSEL'S APPLICATION  
FOR THE ISSUANCE OF SUBPOENAS AD TESTIFICANDUM**

Pursuant to Rule 3.34(a)(2) of the Federal Trade Commission's Rules of Practice, Complaint Counsel makes this application for the issuance of fifteen subpoenas *ad testificandum* to be issued to Mr. Mark Westphal, Mr. Warren Smith, Mr. Suresh Pillay, Mr. Donald Ladwig, Mr. Chuck Grindstaff, Mr. Gerald Young, Ms. Anita Boedeker, Mr. Edward Spiegel, Mr. Richard Radtke, Mr. John Hirshey, Mr. Dennis Nagy, Mr. Rakesh Allahabadi, Mr. Shawn Smolsky, Mr. Michael Wheeler, and Mr. Joe Solecki.

Each of these individuals' testimony is reasonably relevant to complaint counsel's prosecution of this matter and thus satisfies the conditions under Rule 3.34(a)(2) for the issuance of a subpoena *ad testificandum* to give testimony at an adjudicative hearing. Each of these individuals was listed on Complaint Counsel's Preliminary Witness List and is currently on Complaint Counsel's Final Witness List. A brief description of each individual's position and relevance to Complaint Counsel's case follows.

**Mark Westphal**

Mr. Westphal is a manager in the Lockheed Martin EPI Center. We expect that Mr. Westphal will testify about: (a) the business of Lockheed, including its organizational structure; (b) Lockheed's evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) competition among FEA solvers in the aerospace and defense industries, including Nastran; (f) MSC's acquisition of UAI and CSAR; and (g) the EPI competition to select the preferred FEA solver.

**Warren Smith**

Mr. Smith is a consultation engineer at Lockheed Martin Missiles and Fire Control in Dallas Texas ("LMFC"). We expect that Mr. Smith will testify about: (a) the business of LMFC; (b) LMFC's evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) principles and methods of aerospace engineering and computing; (f) competition among FEA solvers in the aerospace and defense industries, including Nastran; (g) MSC's acquisition of UAI and CSAR; and (h) the EPI competition to select the preferred FEA solver.

**Suresh Pillay**

Dr. Suresh Pillay is the automation manager responsible for supporting computer-aided design and analysis software for the Space and Technology division of TRW. He is responsible for procuring and renewing software licenses of tools used by his division at TRW. We expect that Dr. Pillay will testify about: (a) the business of TRW Space and Technology; (b) TRW Space and Technology's evaluation, selection, procurement, and use of FEA solvers, including

Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) principles and methods of aerospace engineering and computing; (f) competition among FEA solvers in the aerospace industry, including Nastran; and (g) MSC's acquisition of UAI and CSAR.

**Donald Ladwig**

Mr. Ladwig is a business planning analyst for Boeing and formerly was engaged in the evaluation and selection of solvers for McDonnell Douglas. We expect that Mr. Ladwig will testify about: (a) the business of Boeing and McDonnell Douglas; (b) Boeing's and McDonnell Douglas' evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) principles and methods of aerospace engineering and computing; (f) competition among FEA solvers in the aerospace industry, including Nastran; and (g) MSC's acquisition of UAI and CSAR.

**Chuck Grindstaff**

Dr. Grindstaff is President of Lifecycle Management Products for PLM Solutions, a line of business of Electronic Data Systems Corp. that is comprised of the former Unigraphics Solutions (UGS) and Structural Dynamics Research Corporation (SDRC). Before that, Dr. Grindstaff was Vice President of Products and Operations for UGS. We expect that Dr. Grindstaff will testify about: (a) the business of PLM Solutions and Electronic Data Systems Corporation and predecessors, including Unigraphics Solutions (UGS) and Structural Dynamics Research Corporation (SDRC); (b) switching and interchangeability among FEA solvers; (c) principles and methods of engineering and computing; (d) competition among FEA solvers; (e) MSC's acquisition of UAI and CSAR; (f) the efficacy of the relief contemplated in the Notice of

Contemplated Relief; and (g) the history and extent of EDS's interest in acquiring CSAR.

**Gerald K. Young**

Mr. Young is an engineer and scientist with Boeing. We expect that Mr. Young will testify about: (a) the business of Boeing; (b) Boeing's evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) switching and interchangeability among solvers, including Nastran; and (d) principles and methods of aerospace engineering and computing.

**Anita Boedeker**

Ms. Boedeker holds procurement responsibilities for Boeing. We expect that Ms. Boedeker will testify about: (a) the business of Boeing; (b) Boeing's evaluation, selection, procurement, and use FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) competition among FEA solvers in the aerospace industry, including Nastran; and (f) MSC's acquisition of UAI and CSAR.

**Edward S. Spiegel**

Mr. Spiegel is the manager for environmental systems engineering at Boeing Satellite Systems, formerly Hughes Satellite. We expect that Mr. Spiegel will testify about: (a) the business of Boeing and Hughes; (b) Boeing's and Hughes' evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) principles and methods of aerospace engineering and computing; (f) competition among FEA solvers in the aerospace industry, including Nastran; and (g) MSC's acquisition of UAI and CSAR.

**Richard Radtke**

Mr. Radtke formerly was the Manager of Product Analysis and Verification Systems. Mr. Radtke is now retired from Ford. We expect that Mr. Radtke will testify about: (a) the business of Ford; (b) Ford's evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) principles and methods of automotive engineering and computing; (f) competition among FEA solvers in the automotive industry, including Nastran; and (g) MSC's acquisition of UAI and CSAR.

**John Hirshey, II**

Mr. Hirshey is the manager of the CAE and Graphics Group of the Technical Computing Center for Vehicle Engineering for the Chrysler Group of DaimlerChrysler. We expect that Mr. Hirshey will testify about: (a) the business of DaimlerChrysler; (b) DaimlerChrysler's evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) principles and methods of automotive engineering and computing; (f) competition among FEA solvers in the automotive industry, including Nastran; and (g) MSC's acquisition of UAI and CSAR.

**Dennis Nagy**

Dr. Nagy is currently an independent consultant. He was employed by MSC from 1985 until 1997. We expect that Dr. Nagy will testify about: (a) the business of MSC; (b) the history of Nastran pricing and contract negotiations; (c) switching and interchangeability among solvers, including Nastran; (d) principles and methods of engineering and computing; (e) competition among FEA solvers, including Nastran; (f) MSC's acquisition of UAI and CSAR; and (g) the

efficacy of the relief contemplated in the Notice of Contemplated Relief.

**Rakesh Allahabadi**

Dr. Allahabadi is currently general manager at OCR Services. He was employed by MSC from 1990 until 1999. We expect that Dr. Allahabadi will testify about: (a) the business of MSC; (b) the history of Nastran pricing and contract negotiations; (c) switching and interchangeability among solvers, including Nastran; (d) principles and methods of engineering and computing; (e) competition among FEA solvers, including Nastran; (f) MSC's acquisition of UAI and CSAR; and (g) the efficacy of the relief contemplated in the Notice of Contemplated Relief.

**Shawn Smolsky**

Mr. Smolsky is currently a staff member in the Corporate Information Security Office of Lockheed Martin. Prior to this, he was a lead engineer for the EPI Center. We expect that Mr. Smolsky will testify about: (a) the business of Lockheed, including its organizational structure; (b) Lockheed's evaluation, selection, procurement, and use of FEA solvers, including Nastran; (c) the history of Nastran pricing and contract negotiations; (d) switching and interchangeability among solvers, including Nastran; (e) principles and methods of aerospace engineering and computing; (f) competition among FEA solvers in the aerospace and defense industries, including Nastran; (g) MSC's acquisition of UAI and CSAR; and (h) the EPI competition to select the preferred FEA solver.

**Michael J. Wheeler**

Mr. Wheeler is the Vice President of Marketing for ANSYS, Inc. We expect that he will testify about: (a) the business of ANSYS; (b) switching and interchangeability among FEA solvers; (c) principles and methods of engineering and computing; (d) competition among FEA solvers; (e) MSC's acquisition of UAI and CSAR; and (f) the efficacy of the relief contemplated

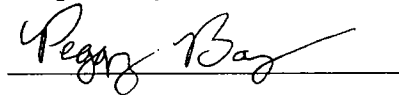
in the Notice of Contemplated Relief.

**Joe Solecki**

Mr. Joe Solecki is the Chief Technical Officer for ANSYS, Inc. We expect that he will testify about: (a) the business of ANSYS; (b) switching and interchangeability among FEA solvers; (c) principles and methods of engineering and computing; (d) competition among FEA solvers; (e) MSC's acquisition of UAI and CSAR; and (f) the efficacy of the relief contemplated in the Notice of Contemplated Relief.

For the foregoing reasons, each of the individuals for whom Complaint Counsel seeks a subpoena *ad testificandum* is relevant to an element in either Complaint Counsel's case in chief or case in rebuttal. Complaint Counsel thus respectfully requests that this application be granted in all respects.

Respectfully Submitted,



P. Abbott McCartney  
Peggy D. Bayer  
Michael G. Cowie  
Kent E. Cox  
Karen A. Mills  
Nancy Park  
Patrick J. Roach  
Counsel Supporting the Complaint  
Bureau of Competition  
Federal Trade Commission  
Washington, D.C. 20580  
(202) 326-2695  
Facsimile (202) 326-3469

Dated: June 25, 2002



United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Shawn Smolsky  
Lockheed Corporation  
c/o Craig P. Seebald, Esq.  
McDermott, Will & Emery  
600 13th Street, NW  
Washington, DC 20005-3096

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 11, 2002  
1:30 p.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

DATE ISSUED

ADMINISTRATIVE LAW JUDGE'S SIGNATURE

**GENERAL INSTRUCTIONS**

**APPEARANCE**

The delivery of this subpoena to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply.

**MOTION TO LIMIT OR QUASH**

The Commission's Rules of Practice require that any motion to limit or quash this subpoena be filed within the earlier of 10 days after service or the time for compliance. The original and ten copies of the motion must be filed with the Secretary of the Federal Trade Commission. Send one copy to the Requesting Counsel named in Item 7 and to all other parties prescribed in the Rules of Practice.

**TRAVEL EXPENSES**

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This subpoena does not require approval by OMB under the Paperwork Reduction Act of 1980.





United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Mark Westphal  
Lockheed Corporation  
c/o Craig P. Seebald, Esq.  
McDermott, Will & Emery  
600 13th Street, NW  
Washington, DC 20005-3096

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 12, 2002  
9:30 a.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

DATE ISSUED

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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Warren Smith  
Lockheed Corporation  
c/o Craig P. Seebald, Esq.  
McDermott, Will & Emery  
600 13th Street, NW  
Washington, DC 20005-3096

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2. LOCATION OF HEARING

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600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

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1:30 p.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

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**NONE.**

6. ADMINISTRATIVE LAW JUDGE

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Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Dr. Suresh Pillay  
c/o Hilary Rule, Esq.  
TRW Law Department  
1900 Richmond Road  
Mail Stop 3 East  
Cleveland, Ohio 44124

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 15, 2002  
9:30 a.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Donald Ladwig  
c/o Mark W. Reardon, Esq.  
The Boeing Company  
100 N. Riverside Plaza  
MC5003-1001  
Chicago, Illinois 60606

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

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1:30 p.m.

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In Re MSC.Software Corporation, D-9299

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**NONE.**

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600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Gerald K. Young  
c/o Mark W. Reardon, Esq.  
The Boeing Company  
100 N. Riverside Plaza  
MC5003-1001  
Chicago, Illinois 60606

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 16, 2002  
9:30 a.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Chuck Grindstaff  
c/o J. Thomas Scott, Esq.  
Electronic Data Systems Corp.  
H-e-3A-05  
5400 Legacy Drive  
Plano, Texas 75024-3199

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
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In Re MSC.Software Corporation, D-9299

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6. ADMINISTRATIVE LAW JUDGE

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Administrative Law Judge  
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600 Pennsylvania Avenue, NW  
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7. COUNSEL REQUESTING SUBPOENA

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The Federal Trade Commission  
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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Edward S. Spiegel  
c/o Mark W. Reardon, Esq.  
The Boeing Company  
100 N. Riverside Plaza  
MC 5003-1001  
Chicago, Illinois 60606

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The Federal Trade Commission  
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Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 17, 2002  
9:30 a.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

DATE ISSUED

ADMINISTRATIVE LAW JUDGE'S SIGNATURE

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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Anita Boedeker  
c/o Mark W. Reardon, Esq.  
The Boeing Company  
100 N. Riverside Plaza  
MC 5003-1001  
Chicago, Illinois 60606

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

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600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 17, 2002  
1:30 p.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

DATE ISSUED

ADMINISTRATIVE LAW JUDGE'S SIGNATURE

**GENERAL INSTRUCTIONS**

**APPEARANCE**

The delivery of this subpoena to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply.

**MOTION TO LIMIT OR QUASH**

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**TRAVEL EXPENSES**

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This subpoena does not require approval by OMB under the Paperwork Reduction Act of 1980.





United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Richard Radtke  
c/o Steven Bolerjack, Esq.  
Ford Motor Company  
WHQ, Room 418  
The American Road  
Dearborn, Michigan 48121-1899

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 18, 2002  
9:30 a.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

DATE ISSUED

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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Rakesh Allahabadi  
655 N. Treanor Ave.  
Glendora, CA 91741

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 19, 2002  
9:30 a.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Dennis Nagy  
50114 Manly  
Chapel Hill, North Carolina 27517

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 19, 2002  
1:30 p.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

DATE ISSUED

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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

John Hirshey, II  
c/o Allan M. Huss, Esq.  
DaimlerChrysler Corporation  
1000 Chrysler Drive  
CIMS 485-13-65  
Auburn Hills, Michigan 48326-2766

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 22, 2002  
9:30 a.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

DATE ISSUED

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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Michael J. Whedier  
ANSYS, Inc.  
c/o Thomas A. Donovan, Esq.  
Kirkpatrick & Lockhart LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222-2312

This subpoena requires you to appear and give testimony at the date and time specified in Item 3 at the request of Counsel listed in Item 7 at a hearing in the proceeding described in Item 4.

2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 22, 2002  
1:30 p.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC Software Corporation, D-9299

5. RECORDS YOU MUST BRING WITH YOU

NONE.

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
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United States of America  
Federal Trade Commission  
**SUBPOENA**

1. TO

Joe Solecki  
ANSYS, Inc.  
c/o Thomas A. Donovan, Esq.  
Kirkpatrick & Lockhart LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222-2312

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2. LOCATION OF HEARING

The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Room 532  
Washington, DC 20580

3. DATE AND TIME OF HEARING

July 23, 2002  
1:30 p.m.

4. SUBJECT OF PROCEEDINGS

In Re MSC.Software Corporation, D-9299

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**NONE.**

6. ADMINISTRATIVE LAW JUDGE

The Honorable D. Michael Chappell  
Administrative Law Judge  
The Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

7. COUNSEL REQUESTING SUBPOENA

P. Abbott McCartney, Esq.  
The Federal Trade Commission  
601 Pennsylvania Avenue, NW  
Washington, DC 20580

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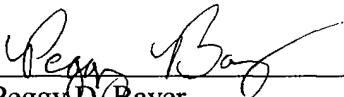
CERTIFICATE OF SERVICE

This is to certify that on June 25, 2002, I caused a copy of the attached Complaint Counsel's Application for the Issuance of Subpoenas Ad Testificandum was served upon the following persons by hand-delivery:

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

Tefft W. Smith, Esquire  
Marimichael O. Skubel, Esquire  
KIRKLAND & ELLIS  
655 Fifteenth Street, N.W.  
Washington, D.C. 20005  
(202) 879-5034  
Facsimile (202) 879-5200

Counsel for MSC Software Corporation

  
\_\_\_\_\_  
Peggy D. Bayer