FEDERAL TRADE COMMISSION WASHINGTON, D.C. 20580

NOTICE OF APPEARANCE



CASE NAME

FILE/DOCKET NUMBER

Aspen Technology, Inc.

Docket No. 9310

➤ Pursuant to Section 4.1 of the Commission's Rule of Practice, enter in the above proceeding the appearance of

🔀 counsel or representative for the respondent (Complete items 1, 2, 4, and 5 below)

counsel supporting the complaint (Complete items 1, 3, 4, and 5 below)

1. COUNSEL OR REPRESENTATIVE

2. RESPONDENTS

Include name, address and telephone of each

Include address and telephone numbers of all persons, partnerships, corporations, or associations

David I. Gelfand Cleary, Gottlieb, Steen & Hamilton 2000 Pennsylvania Ave., N.W. Washington, D.C. 20006 (202) 974-1920 Aspen Technology, Inc. Ten Canal Park

Cambridge, MA 021141-2201

(617) 949-1000

3. ASSOCIATE/ASSISTANT DIRECTOR

4. SIGNATURE OF SENIOR COUNSEL

5. DATE SIGNED

October 10, 2003

Return this form to:

H-159

Federal Trade Commission 600 Pennsylvania Ave. NW Washington, D.C. 20580

UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of	_)	
)	
ASPEN TECHNOLOGY, INC.,)	Docket No. 9310
a corporation.)	
)	

DECLARATION OF DAVID I. GELFAND

I, David I. Gelfand, declare:

- 1. I am an attorney with the law firm of Cleary, Gottlieb, Steen & Hamilton, counsel for Respondent Aspen Technology, Inc. I make this declaration pursuant to Rule 4.1(d) of the Federal Trade Commission's Rules of Practice.
- 2. I am a member of the Bar of the District of Columbia (#416596) and am admitted to practice before the District of Columbia Court of Appeals. I further attest that I am in good standing within the legal profession.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: October 10, 2003.

David I. Gelfand

CERTIFICATE OF SERVICE

I, Tanya N. Dunne, hereby certify that on October 10, 2003, I caused a true and correct copy of the attached *Notice of Appearance and Declaration of David I. Gelfand* to be served upon the following persons by hand delivery and by e-mail:

Hon. Stephen J. McGuire Chief Administrative Law Judge Federal Trade Commission Room H-112 600 Pennsylvania Ave., N.W. Washington, D.C. 20580

Peter Richman
Phillip L. Broyles
Federal Trade Commission
Room NJ-7172-A
601 New Jersey Avenue
Washington, D.C. 20001

Donald S. Clark, Secretary Federal Trade Commission Room H-159 600 Pennsylvania Ave., N.W. Washington, D.C. 20580

> Tanya Dune OTanya N. Dunne