

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

September 23, 2013

Douglas E. Cressler
Chief Deputy Clerk

Mr. David Boies
Boies, Schiller & Flexner
333 Main Street
Armonk, NY 10504

Mr. Samuel Kaplan
Boies, Schiller & Flexner
5301 Wisconsin Avenue, NW
Washington, DC 20015-0000

Mr. Joshua I. Schiller
Boies, Schiller & Flexner
575 Lexington Avenue
New York, NY 10022-0000

Mr. Stuart H. Singer
Boies, Schiller & Flexner
401 East Las Olas Boulevard, Suite 1200
Ft. Lauderdale, FL 33301

Ms. Maralyn M. English
Mr. Max D. Wheeler
Snow, Christensen & Martineau
10 Exchange Place, 11th Floor
P.O. Box 45000
Salt Lake City, UT 84145-5000

Mr. R. Bruce Holcomb
Adams Holcomb
1875 Eye Street, NW, Suite 810
Washington, DC 20006

Mr. Jeffrey M. Johnson
Mr. James R. Martin
Ms. Miriam R. Vishio
Dickstein Shapiro
1825 Eye Street, NW
Washington, DC 20006

RE: 12-4143, Novell v. Microsoft Corporation
Dist/Ag docket: 2:04-CV-01045-JFM

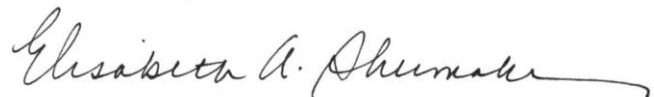
Dear Counsel:

Enclosed is a copy of the opinion of the court issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Pursuant to Fed. R. App. P. Rule 40, any petition for rehearing must be filed within 14 days after entry of judgment. Please note, however, that if the appeal is a civil case in which the United States or its officer or agency is a party, any petition for rehearing must be filed within 45 days after entry of judgment. Parties should consult both the Federal Rules and local rules of this court with regard to applicable standards and requirements. In particular, petitions for rehearing may not exceed 15 pages in length, and no answer is permitted unless the court enters an order requiring a response. If requesting rehearing en banc, the requesting party must file 12 paper copies with the clerk, in addition to satisfying all Electronic Case Filing requirements. *See* Fed. R. App. P. Rules 35 and 40, and 10th Cir. R. 35 and 40 for further information governing petitions for rehearing.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker
Clerk of the Court

cc: Steven L. Holley
James S. Jardine
John Wendell Mackay
Sharon Nelles
Adam S. Paris
Justin T. Toth
David Bruce Tulchin

EAS/sls