

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) R. SCOTT CHILDRESS INVESTIGATIONS (813) 918-7688 P.O. BOX 694 ODESSA, FL 33556-0694		TELEPHONE NO. (813) 918-7688	FOR COURT USE ONLY	
ATTORNEY FOR (NAME)		REFERENCE NUMBER 0T266585-01		
Insert name of court, judicial district or branch court, if any, and post office and street address UNITED STATES DISTRICT COURT,				
SHORT NAME OF CASE WAYNE R. GRAY vs. NOVELL, INC. ET AL				
PROOF OF SERVICE	DATE:	TIME:	DEPT/DIV:	CASE NUMBER: 806CV01950T30TGW

I am and was on the dates herein mentioned over the age of eighteen years and not a party to this action;

I served the:  
SUMMONS AND COMPLAINT;

Name of Defendant: THE OPEN GROUP (X/OPEN COMPANY, LTD)  
Person Served: GRAHAM BIRD  
Title: AGENT FOR SERVICE

Date of Delivery: 12/04/06  
Time of Delivery: 11:07 am

Place of Service: 44 MONTGOMERY ST. SUITE 960  
SAN FRANCISCO, CA 94104-4704 (Business)

Date of Mailing: 12/04/06  
Place of Mailing: SAN FRANCISCO

Physical Description:  
AGE: 31 HAIR: RED HEIGHT: 6 RACE: C  
SEX: F EYES: BROWN WEIGHT: 190LBS

Manner of Service:  
Substituted Service on the defendant by leaving copies of the documents at the defendants dwelling, house, usual place of abode, usual place of business, or usual mailing address other than a U.S. Postal Service Post Office Box, in the presence of a competent member of the household or a person apparently in charge of his or her office, place of business, or usual mailing address other than a U.S. Postal Service Post Office Box, at least 18 years of age who was informed of the contents thereof, and by mailing copies of the documents (By First-Class Mail, Postage Pre-Paid) to the defendant served at the place where the copies were left.

In Compliance With:  Federal Rules of Civil Procedure  
 California Code of Civil Procedure

Fee for service: \$ 78.50

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on: December 5, 2006 at: San Francisco, California.

Registered: SAN FRANCISCO County, Number: 973  
Attorneys Diversified Services  
1453 Mission Street, Ste 510  
San Francisco, CA 94103  
415-437-6177  
30X10T266585-01  
Client File # GRAY V NOVELL  
PROOF OF SERVICE

Signature: Travis Fleenor  
Name: TRAVIS FLEENOR  
Title: REGISTERED PROCESS SERVER