

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**WAYNE R. GRAY,**

Plaintiff,

vs.

**NOVELL, INC., and THE SCO GROUP, INC.,  
and X/OPEN COMPANY LIMITED,**

Defendants.

Case No.: 8:06-cv-01950-JSM-TGW

**UNOPPOSED MOTION TO ENLARGE TIME TO RESPOND TO DISCOVERY**

Defendant Novell, Inc. (Novell), by and through undersigned counsel, with the stipulation and agreement of counsel for Plaintiff, Wayne R. Gray, and pursuant to Rule 4.15, Rules of the United States District Court for the Middle District of Florida, moves the Court for entry of an Order enlarging the time for Novell to respond to discovery issued by Plaintiff on April 18, 2007 and states as follows:

1. The Plaintiff served his First Requests for Production, First Set of Interrogatories, and First Request for Admissions on all Defendants on April 18, 2007.

2. Novell has made a diligent effort to respond to the discovery within the time required by the Federal Rules of Civil Procedure, but finds that it will not be able to make meaningful responses within that time.

3. Counsel for Novell has conferred with counsel for Plaintiff and have reached agreement for an extension of time up to and including June 20, 2007 for Novell to respond to the Plaintiff's discovery requests.<sup>1</sup>

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<sup>1</sup> Plaintiff's counsel has reached the same agreement with all defendants.

WHEREFORE, Novell, Inc. moves this court for entry of an Order granting it an enlargement of time up to and including June 20, 2007 within which Novell shall be required to respond to the Plaintiff's discovery requests served on April 18, 2007.

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#### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on May 15, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing on Fredrick H.L. McClure, E. Colin Thompson, John P. Mullen, Heather M. Sneddon, Thomas R. Karrenberg, David L. Partlow, Karen C. Dyer, George R. Coe, Evan A. Raynes, Mark Sommers and William Cooper Guerrant, Jr.

/s/Fredrick H. L. McClure  
Attorney