

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

WAYNE R. GRAY,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No.: 8:06-cv-01950-JSM-TGW
NOVELL, INC.,)	
THE SCO GROUP, INC., and)	
X/OPEN COMPANY LIMITED,)	
)	
Defendants.)	
)	

**DECLARATION OF EVAN A. RAYNES IN SUPPORT OF
X/OPEN’S OPPOSITION TO PLAINTIFF’S MOTION TO
DECLASSIFY THE 1996 SCO-NOVELL-X/OPEN CONFIRMATION AGREEMENT**

I, Evan A. Raynes, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct:

1. I am a lawyer at Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., 901 New York Avenue, N.W., Washington, D.C., 20001-4413.

2. The following are true and correct copies of the correspondence between the parties to this litigation concerning Plaintiff’s motion to declassify the 1996 SCO-Novell-

X/Open Confirmation Agreement.

- Exhibit 1: April 9, 2007 e-mail from Partlow to Raynes.
- Exhibit 2: April 10, 2007 e-mail from Raynes to Partlow.
- Exhibit 3: April 10, 2007 e-mail from Mullen to Partlow.
- Exhibit 4: April 20, 2007 e-mail from Coe to Partlow.
- Exhibit 5: May 11, 2007 e-mail from Partlow to defendants.
- Exhibit 6: May 11, 2007 e-mail from Mullen to Partlow.
- Exhibit 7: May 12, 2007 e-mail from Partlow to Mullen.

- Exhibit 8: May 15, 2007 e-mail from Raynes to Partlow.
- Exhibit 9: May 15, 2007 e-mail from Partow to Raynes.
- Exhibit 10: May 16, 2007 e-mail from Coe to Partlow.
- Exhibit 11: May 17, 2007 e-mail from Coe to Partlow.

Respectfully submitted,

Dated: June 4, 2007

s/ Evan A. Raynes

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- and-

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CERTIFICATE OF SERVICE

I certify that on June 4, 2007, I electronically filed this document with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to:

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s/ Evan A. Raynes