

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

WAYNE R. GRAY,

Plaintiff,

v.

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

Defendants.

CASE NO.: 8:06-CV-01950-JSM-TGW

NOTICE TO THE COURT OF PENDING DISPOSITIVE MOTION

Defendant, The SCO Group, Inc. ("SCO"), by and through its counsel and pursuant to Rule 3.01(h) of the Local Rules for the United States District Court for the Middle District of Florida, files this notice that SCO's Motion to Dismiss and Memorandum of Law in Support was filed on January 31, 2007 and Plaintiff's Memorandum in Opposition was filed on March 5, 2007 and has been pending more than one hundred and eighty days.

Respectfully submitted this August 24, 2007.

BOIES, SCHILLER & FLEXNER, LLP

s/ George R. Coe

Karen C. Dyer

Florida Bar No.: 716324

George R. Coe

Florida Bar No. 298440

121 South Orange Avenue, Suite 840

Orlando, Florida 32801

Telephone: (407) 425-7118

Email: kdyer@bsflp.com

gcoe@bsflp.com

Attorneys for Defendant The SCO Group,
Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 24, 2007, I electronically filed the foregoing, with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following David L. Partlow, David L. Partlow, P.A., PO Box 82963, Tampa, FL 33682-2963; William Cooper Guerrant, Jr., Hill, Ward & Henderson, PA, PO Box 2231, Tampa, FL 33601-2231; Evan A. Raynes and Mark Sommers, Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, 901 New York Avenue, NW, Washington, DC 20001-4413; Frederick H.L. McClure and E. Colin Thompson, DLA Piper US, LLP, 101 E. Kennedy Blvd., Suite 2000, Tampa, FL 33602-5148; John P. Mullen and Heather M. Sneddon, Anderson & Karrenberg, 700 Chase Tower, 50 West Broadway, Salt Lake City, UT 84101.

s/ George R. Coe
George R. Coe