

Brakebill, Ken W.

From: Brakebill, Ken W.
Sent: September 19, 2006 6:52 PM
To: 'Ted Normand'
Subject: RE: SCO/Novell Case

Thanks, Ted. As we've done in the past, I'll ask our local counsel to get in touch with your local counsel and get a stipulation on file -- after which we'll file the amended counterclaims.

-Ken

-----Original Message-----

From: Ted Normand [mailto:TNormand@BSFLLP.com]
Sent: September 19, 2006 6:44 PM
To: Brakebill, Ken W.
Subject: RE: SCO/Novell Case

Ken --

Sorry about missing the call, I won't bore you with the details. We don't oppose the amendment. Regards,

Ted

From: Brakebill, Ken W. [mailto:KBrakebill@mofo.com]
Sent: Mon 9/18/2006 5:18 PM
To: Ted Normand
Subject: RE: SCO/Novell Case

415-268-6943. I'll look forward to hearing from you.

-Ken

-----Original Message-----

From: Ted Normand [mailto:TNormand@BSFLLP.com]
Sent: September 18, 2006 2:17 PM
To: Brakebill, Ken W.
Subject: Re: SCO/Novell Case

Ken --

Let's plan on that time, that should work. What number should I call?

-----Original Message-----

From: Brakebill, Ken W. <KBrakebill@mofo.com>
To: Ted Normand
Sent: Mon Sep 18 14:39:22 2006

Subject: RE: SCO/Novell Case

Ted:

Let's schedule a time to talk tomorrow later in the day after your status call. I can be flexible on what time tomorrow, but for starters will propose 3pm pacific. We'd like to get this resolved right away.

Thanks.

-Ken

-----Original Message-----

From: Ted Normand [mailto:TNormand@BSFLLP.com]

Sent: September 18, 2006 7:29 AM

To: Brakebill, Ken W.

Subject: RE: SCO/Novell Case

Ken -- I need until Tuesday night/Wednesday morning, as this issue in on the table (anew) for a status call we are having tomorrow. Thanks,

Ted

From: Brakebill, Ken W. [mailto:KBrakebill@mofocom.com]

Sent: Sat 9/16/2006 11:09 AM

To: Ted Normand

Subject: RE: SCO/Novell Case

Ok. How about 3pm pacific on Monday?

-----Original Message-----

From: Ted Normand [mailto:TNormand@BSFLLP.com]

Sent: September 16, 2006 7:58 AM

To: Brakebill, Ken W.

Subject: RE: SCO/Novell Case

Ken --

Let me call you about this Monday/Tuesday, perhaps we can work something out.

Ted

From: Brakebill, Ken W. [mailto:KBrakebill@mofocom.com]

Sent: Thu 9/14/2006 8:32 PM

To: Ted Normand

Subject: RE: SCO/Novell Case

Ted:

On what basis do you object to the proposed amendment?

Thanks.

-Ken

-----Original Message-----

From: Ted Normand [mailto:TNormand@BSFLLP.com]

Sent: September 14, 2006 5:29 PM

To: Brakebill, Ken W.

Subject: RE: SCO/Novell Case

Ken --

We have reviewed the proposed amendment, and SCO does not agree to stipulate thereto. Regards,

Ted

-----Original Message-----

From: Brakebill, Ken W. [mailto:KBrakebill@mofo.com]

Sent: Wed 9/13/2006 11:18 AM

To: Ted Normand

Cc:

Subject: RE: SCO/Novell Case

Thanks, Ted.

-----Original Message-----

From: Ted Normand [mailto:TNormand@BSFLLP.com]

Sent: September 13, 2006 6:02 AM

To: Brakebill, Ken W.

Subject: Re: SCO/Novell Case

Ken --

I'm in a deposition today but will get back to you tonight or tomorrow.

Regards,

Ted

-----Original Message-----

From: Brakebill, Ken W. <KBrakebill@mofo.com>

To: Ted Normand

Sent: Tue Sep 12 20:03:11 2006

Subject: FW: SCO/Novell Case

Ted: I'd appreciate it if you could please get back to me on this.

We're seeking SCO's stipulation to file. As we've done in the past, we

can have local counsel handle the stipulation.

Thanks in advance.

-Ken

-----Original Message-----

From: Brakebill, Ken W.

Sent: September 08, 2006 10:49 AM

To: 'Ted Normand'

Subject: RE: SCO/Novell Case

Attached is a copy of the amended counterclaims. I'll look forward to hearing back from you. Thanks, Ted.

-Ken

-----Original Message-----

From: Ted Normand [mailto:TNormand@BSFLLP.com]

Sent: September 08, 2006 6:37 AM

To: Brakebill, Ken W.

Subject: RE: SCO/Novell Case

Ken --

Why don't you send me the draft and I can review with SCO. Thanks,

Ted

-----Original Message-----

From: Brakebill, Ken W. [mailto:KBrakebill@mofocom.com]

Sent: Thursday, September 07, 2006 9:05 PM

To: Ted Normand

Subject: SCO/Novell Case

Hi Ted.

Novell has an amended counterclaim document that it would like to file. It is a clarification of claims based on discovery we've received from SCO. I wanted to seek your stipulation to file; I'd can send you a draft if you'd like.

Thanks.

-Ken

To ensure compliance with requirements imposed by the IRS, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S.