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*Attorneys for The SCO Group, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

NOVELL, INC.,

Defendant/Counterclaim-Plaintiff.

**SCO'S EX PARTE MOTION FOR  
 LEAVE TO FILE OVERLENGTH  
 MEMORANDUM IN OPPOSITION TO  
 NOVELL'S MOTION FOR PARTIAL  
 SUMMARY JUDGMENT OR  
 PRELIMINARY INJUNCTION AND  
 IN SUPPORT OF SCO'S CROSS  
 MOTION FOR SUMMARY  
 JUDGMENT OR PARTIAL  
 SUMMARY JUDGMENT**

Case No. 2:04cv139

Honorable Dale A. Kimball  
 Magistrate Judge Brooke C. Wells

Plaintiff/Counterclaim-Defendant The SCO Group ("SCO") hereby moves the Court pursuant to District Court Rule 7-1(e) for an Order granting it leave to file SCO's

Memorandum in Opposition to Novell's Motion For Partial Summary Judgment or Preliminary Injunction and in Support of SCO's Cross Motion For Summary Judgment or Partial Summary Judgment (the "Memorandum in Opposition") that consists of 54 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

SCO's Motion is made upon the grounds that the Memorandum in Opposition of the indicated length is necessary given the complex nature of the issues raised by Novell's Motion for Partial Summary Judgment or Preliminary Injunction ("Novell's Motion") to the end that an Opposition to Novell's Motion of the same complexity was necessitated.

SCO has endeavored to be as concise as possible, but respectfully submits that the excess length is necessary to fully and fairly address the issues being placed before the Court.

SCO respectfully requests that it be allowed to file its Memorandum in Opposition containing 54 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED this the 12<sup>th</sup> day of December, 2006.

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By: /s/ Brent O. Hatch  
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