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FILED
 -9 FEB 04 PM 4:33
 DISTRICT OF UTAH
 BY: 

**IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF UTAH, CENTRAL DIVISION**

THE SCO GROUP, INC., a Delaware
 corporation,

Plaintiff,

vs.

NOVELL, INC., a Delaware corporation,

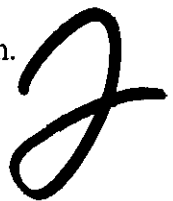
Defendant.

MOTION TO DISMISS

Case No. 2:04CV00139

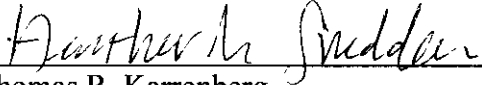
Judge Dale A. Kimball

Defendant Novell, Inc., by and through its attorneys of record, hereby moves this Court to dismiss The SCO Group, Inc.'s Complaint for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). The grounds for this Motion are more fully set forth in the Memorandum in Support, filed concurrently herewith.



DATED: February 9, 2004.

ANDERSON & KARRENBERG



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of February, 2004, I caused a true and correct copy of the foregoing **MOTION TO DISMISS** to be served via first class mail, postage prepaid, to the following:

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