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Attorneys for Plaintiff, The SCO Group, Inc.

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

THE SCO GROUP, INC.,
 a Delaware corporation,

 Plaintiff/Counterclaim-Defendant,

 vs.

 NOVELL, INC.,
 a Delaware corporation,

 Defendant/Counterclaim-Plaintiff.

**[PROPOSED] ORDER GRANTING
 SCO'S MOTION FOR PARTIAL
 SUMMARY JUDGMENT ON ITS FIRST,
 SECOND, AND FIFTH CAUSES OF
 ACTION AND FOR SUMMARY
 JUDGMENT ON NOVELL'S FIRST
 COUNTERCLAIM**

Civil No.: 2:04CV00139

Judge Dale A. Kimball
 Magistrate Brooke C. Wells

Based on the submissions of the parties, such argument as was presented at hearing, and good cause appearing therefore,

IT IS HEREBY ORDERED that SCO's Motion For Partial Summary Judgment on Its First, Second, and Fifth Causes of Action and For Summary Judgment on Novell's First Counterclaim is granted in its entirety with prejudice.

DATED this ____ day of _____, 2007.

BY THE COURT

Dale A. Kimball
United States District Court Judge