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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.

Plaintiff/Counterclaim-Defendant,

v.

NOVELL, INC.,

Defendant/Counterclaim-Plaintiff.

**SCO'S EX PARTE MOTION FOR  
 LEAVE TO FILE ITS  
 MEMORANDUM IN OPPOSITION TO  
 NOVELL'S MOTION FOR PARTIAL  
 SUMMARY JUDGMENT ON SCO'S  
 NON-COMPETE CLAIM IN ITS  
 SECOND CLAIM FOR BREACH OF  
 CONTRACT AND FIFTH CLAIM FOR  
 UNFAIR COMPETITION**

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 On SCO’s Non-Compete Claim In Its Second Claim For Breach Of Contract And Fifth Claim For Unfair Competition* (the “Opposition”) that consists of 44 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

SCO’s Motion is made upon the grounds that the Opposition of the indicated length is necessary given the complex nature of the issues raised by Novell’s Motion For Partial Summary Judgment On SCO’s Non-Compete Claim In Its Second Claim For Breach Of Contract And Fifth Claim For Unfair Competition (the “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 Opposition containing 29 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED this the 18th day of May, 2007.

HATCH, JAMES & DODGE, P.C.

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By:           /s/ Edward Normand