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#### Attorneys for Defendant and Counterclaimant Novell, Inc.

# IN THE UNITED STATES DISTRICT COURT

#### DISTRICT OF UTAH, CENTRAL DIVISION

THE SCO GROUP, INC., a Delaware corporation, Plaintiff and Counterclaim- Defendant,	NOTICE OF CONVENTIONAL FILING
VS.	Case No. 2:04CV00139
NOVELL, INC., a Delaware corporation,	Judge Dale A. Kimball
Defendant and Counterclaim- Plaintiff.	

Dockets.Justia.com

PLEASE TAKE NOTICE that Defendant and Counterclaim-Plaintiff Novell, Inc. has

conventionally filed the original and one copy of each of the following:

- 1. REPLY IN SUPPORT OF NOVELL'S MOTION FOR SUMMARY JUDGMENT ON SCO'S FIRST CLAIM FOR SLANDER OF TITLE AND THIRD CLAIM FOR SPECIFIC PERFORMANCE (COPYRIGHT OWNERSHIP) [FILED UNDER SEAL pursuant to the August 2, 2006 Stipulated Protective Order];
- 2. REPLY MEMORANDUM IN SUPPORT OF NOVELL'S MOTION FOR SUMMARY JUDGMENT ON SCO'S FIRST CLAIM FOR SLANDER OF TITLE BASED ON FAILURE TO ESTABLISH SPECIAL DAMAGES [FILED UNDER SEAL pursuant to the August 2, 2006 Stipulated Protective Order]; and
- 3. SECOND SUPPLEMENTAL DECLARATION OF KENNETH W. BRAKEBILL IN REPLY TO NOVELL'S MOTIONS FOR SUMMARY JUDGMENT [FILED UNDER SEAL pursuant to the August 2, 2006 Stipulated Protective Order].

The foregoing documents have not been filed electronically because they contain confidential information subject to the August 2, 2006 Stipulated Protective Order, and thus have been filed under seal. These documents have therefore been filed with the Court and conventionally served on all parties.

DATED: May 25, 2007

### ANDERSON & KARRENBERG

By: <u>/s/ Heather M. Sneddon</u>

Thomas R. Karrenberg John P. Mullen Heather M. Sneddon

-and-

MORRISON & FOERSTER LLP Michael A. Jacobs (pro hac vice) Kenneth W. Brakebill (pro hac vice) Grant L. Kim (pro hac vice)

Attorneys for Defendant and Counterclaim-Plaintiff Novell, Inc.

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25th day of May, 2007, I caused a true and correct

copy of the foregoing **NOTICE OF CONVENTIONAL FILING** to be served to the following:

Via CM/ECF:

Brent O. Hatch Mark F. James HATCH JAMES & DODGE, P.C. 10 West Broadway, Suite 400 Salt Lake City, Utah 84101 (and via Hand Delivery)

Stuart H. Singer William T. Dzurilla Sashi Bach Boruchow BOIES, SCHILLER & FLEXNER LLP 401 East Las Olas Blvd., Suite 1200 Fort Lauderdale, Florida 33301 (and via Overnight Mail)

David Boies Edward J. Normand BOIES, SCHILLER & FLEXNER LLP 333 Main Street Armonk, New York 10504

Devan V. Padmanabhan John J. Brogan DORSEY & WHITNEY, LLP 50 South Sixth Street, Suite 1500 Minneapolis, Minnesota 55401

Via U.S. Mail, postage prepaid: Stephen Neal Zack BOIES, SCHILLER & FLEXNER LLP 100 Southeast Second Street, Suite 2800 Miami, Florida 33131

/s/ Heather M. Sneddon