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FOR THE DISTRICT OF UTAH		
THE SCO GROUP, INC., a Delaware corporation, Plaintiff/Counterclaim-Defendant,	SUPPLEMENTAL DECLARATION OF EDWARD NORMAND	
VS.		
NOVELL, INC., a Delaware corporation, Defendant/Counterclaim-Plaintiff.	Civil No.: 2:04CV00139 Judge Dale A. Kimball Magistrate Brooke C. Wells	

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

Dockets.Justia.com

I, Edward Normand, declare as follows:

1. I am a citizen of the United States, am over the age of 21, and am competent to

testify to the matters set forth herein.

2. I am an attorney at law admitted *pro hac vice* to the District of Utah and a

member of the firm of Boies, Schiller & Flexner LLP, counsel for the Plaintiff/Counterclaim-

Defendant, The SCO Group, Inc., in the pending action.

3. Attached hereto and filed herewith are true and correct copies of the following

documents:

EXHIBIT	DOCUMENT DESCRIPTION
1	Strategic Development Agreement ("SDA") between Novell and Santa Cruz dated December 6, 1995
2	Document titled "SCO/Novell Documentation Transition Issues" dated October 16, 1995
3	Declaration of Sandeep Gupta dated May 29, 2007
4	Excerpts from the Wilson Sonsini 30(b)(6) Deposition Transcript of Michael Danaher dated April 27, 2007
5	Excerpts from the Wilson Sonsini 30(b)(6) Deposition Transcript of Aaron Alter dated April 27, 2007
6	Letter from J. Kingston to the U.S Department of Justice dated September 19, 1996
7	The Santa Cruz Operation, Inc. EU Complaint dated January 31, 1997
8	Article titled "Microsoft Applauds European Commission Decision to Close Santa Cruz Operation Matter" dated November 24, 1997
9	MSBC NewsSource article titled "Still More Legal Battles, CCIA & Dole back the DoJ and a Ms-owned Company Sues Itself" dated December 1, 1997

<u>EXHIBIT</u>	DOCUMENT DESCRIPTION
10	Article titled "A Tale of Two Press Releases" dated November 25, 1997
11	Memorandum from D. Bradford to K. Rekhl dated November 19, 1993
12	Declaration of Steven Sabbath dated November 19, 2004
13	Excerpts from the Deposition Transcript of Steven Sabbath dated February 12, 2007
14	Excerpts from the Deposition Transcript of Kim Madsen, dated February 13, 2007
15	Agreement and Plan of Reorganization between The Santa Cruz Organization and Caldera dated August 1, 2000
16	Intellectual Property Assignment ("IP Assignment') dated May 1, 2001
17	Declaration of Troy Keller dated May 18, 2007
18	Declaration of Ralph Yarro dated May 17, 2007
19	Excerpts from the Deposition Transcript of Doug Michels dated March 28, 2007
20	Excerpts from the Novell 30(b)(6) Deposition Transcript of Greg Jones dated May 10, 2007.
21	Excerpt from the Deposition Transcript of Lawrence Bouffard dated February 16, 2007
22	Declaration of Chris Sontag dated November 4, 2006
23	Excerpts from the Deposition Transcript of Burt Levine dated March 23, 2007
24	Excerpts from the Novell 30(b)(6) Deposition Transcript of Joseph LaSala dated May 16, 2007
25	Declaration of Greg Jones dated September 6, 2006
26	Excerpts from the Deposition Transcript of Greg Jones dated January 26, 2007

<u>EXHIBIT</u>	DOCUMENT DESCRIPTION
27	Excerpts from the Deposition Transcript of Joseph LaSala dated February 8, 2007
28	Excerpts from the Deposition Transcript of Robert Frankenberg dated February 10, 2007
29	Wall Street Journal article titled "Novell to Cede Control of Unix to 2 Companies" dated September 20, 1995
30	Excerpts from the Deposition Transcript of Duff Thompson dated February 9, 2007
31	Excerpts from the Deposition Transcript of Ed Chatlos dated March 22, 2007
32	Excerpts from the Deposition Transcript of Ty Mattingly dated January 19, 2007
33	Excerpts from the Deposition Transcript of Jim Wilt dated January 26, 2007
34	Excerpt from The Santa Cruz Operation, Inc. Form 10-K for the Fiscal Year Ending September 30, 1996

4. I declare under penalty of perjury that the foregoing is true and correct.

Dated this 29th day of May, 2007.

/s/ Edward Normand Edward Normand

## **CERTIFICATE OF SERVICE**

Plaintiff/Counterclaim-Defendant, The SCO Group, Inc., hereby certifies that a true and

correct copy of the foregoing was served on Defendant/Counterclaim-Plaintiff, Novell, Inc., on

this 29th day of May, 2007, via CM/ECF to the following:

Thomas R. Karrenberg John P. Mullen Heather M. Sneddon ANDERSON & KARRENBERG 700 Bank One Tower 50 West Broadway Salt Lake City, UT 84101

Michael A. Jacobs Matthew I. Kreeger Kenneth W. Brakebill MORRISON & FOERSTER 425 Market Street San Francisco, CA 94105-2482

/s/ Edward Normand