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**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 REPLY  
 MEMORANDUM IN FURTHER  
 SUPPORT OF ITS MOTION FOR  
 PARTIAL SUMMARY JUDGMENT  
 ON ITS FIRST, SECOND, AND FIFTH  
 CAUSES OF ACTION AND FOR  
 SUMMARY JUDGMENT ON  
 NOVELL'S FIRST COUNTERCLAIM**

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 Reply Memorandum in Further Support of its Motion for Partial Summary Judgment on its First, Second, and Fifth Causes of Action and for Summary Judgment on Novell’s First Counterclaim* (the “Reply Memorandum”) that consists of 48 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

SCO’s Motion is made upon the grounds that the Reply Memorandum of the indicated length is necessary given the complex nature of the issues raised by Novell’s Opposition to SCO’s Motion for Partial Summary Judgment on SCO’s First, Second, and Fifth Causes of Action and for Summary Judgment on Novell’s First Counterclaim (the “Opposition”) to the end that a Reply to Novell’s Opposition 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 Reply Memorandum containing 48 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED this the 29th day of May, 2007.

HATCH, JAMES & DODGE, P.C.  
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By: /s/ Edward Normand  
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