

Brent O. Hatch (5715)
 Mark F. James (5295)
 HATCH, JAMES & DODGE, PC
 10 West Broadway, Suite 400
 Salt Lake City, Utah 84101
 Telephone: (801) 363-6363
 Facsimile: (801) 363-6666

Stephen N. Zack (admitted pro hac vice)
 BOIES, SCHILLER & FLEXNER LLP
 Bank of America Tower – Suite 2800
 100 Southeast Second Street
 Miami, Florida 33131
 Telephone: (305) 539-8400
 Facsimile: (305) 539-1307

David Boies (admitted pro hac vice)
 Robert Silver (admitted pro hac vice)
 Edward Normand (admitted pro hac vice)
 BOIES, SCHILLER & FLEXNER LLP
 333 Main Street
 Armonk, New York 10504
 Telephone: (914) 749-8200
 Facsimile: (914) 749-8300

Stuart Singer (admitted pro hac vice)
 BOIES, SCHILLER & FLEXNER LLP
 401 East Las Olas Blvd.
 Suite 1200
 Fort Lauderdale, FL 33301
 Telephone: (954) 356-0011
 Facsimile: (954) 356-0022

Devan V. Padmanabhan (admitted pro hac vice)
 DORSEY & WHITNEY LLP
 50 South Sixth Street, Suite 1500
 Minneapolis, Minnesota 55402
 Telephone: (612) 340-2600
 Facsimile: (612) 340-2868

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 EX PARTE MOTION FOR LEAVE TO FILE ITS MEMORANDUM IN OPPOSITION TO NOVELL'S EVIDENTIARY OBJECTIONS TO SCO'S EXHIBITS SUBMITTED IN SUPPORT OF ITS SUMMARY JUDGMENT OPPOSITIONS FILED MAY 18, 2007, INCORPORATING BY REFERENCE NOVELL'S EVIDENTIARY OBJECTIONS TO SCO'S SUMMARY JUDGMENT EXHIBITS

Civil No.: 2:04CV00139
 Judge Dale A. Kimball
 Magistrate Brooke C. Wells

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) for Leave to File its over-length *Memorandum in Opposition to Novell’s Evidentiary Objections to SCO’s Exhibits Submitted in Support of Its Summary Judgment Oppositions Filed May 18, 2007, incorporating by reference Novell’s Evidentiary Objections to SCO’s Summary Judgment Exhibits* (the “Opposition Memorandum”). The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and hereby ORDERS that SCO be granted leave to file its over-length Opposition Memorandum consisting of 134 pages, exclusive of face sheet, tables of contents and authorities, appendixes and exhibits.

DATED: _____, 2007

BY THE COURT:

Honorable Dale A. Kimball