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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH****CENTRAL DIVISION**

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**THE SCO GROUP, INC.,****Plaintiff,****vs.****NOVELL, INC.,****Defendant.****ORDER****Civil Case No. 2:04CV139DAK**

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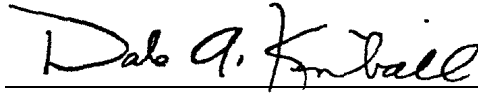
On November 27, 2007, Novell Inc. filed a Notice of the Delaware Bankruptcy Court's Memorandum Opinion and Order Granting Novell's Motion for Relief from the Automatic Stay to Proceed with the Lawsuit by Novell, Inc. The court has reviewed the Delaware Bankruptcy Court's decision and will attempt to schedule the trial in this matter as expeditiously as its calendar will allow.

To assist in its scheduling of the trial, the court requests that the parties submit a joint statement of their views regarding the appropriate procedures for resolving the issues in this case by no later than December 13, 2007. The court requests that the parties specifically address whether any portion of the case can be resolved through a motion for summary judgment and whether the Delaware Bankruptcy Court's retention of the constructive trust issue will shorten the anticipated length of the trial. Given the present congestion of the court's trial calendar, the length of the trial will significantly impact the date on which the trial can be scheduled. Any other matters that the parties deem appropriate to address in the statement are left to their

discretion.

DATED this 6<sup>th</sup> day of December, 2007.

BY THE COURT:

A handwritten signature in cursive script that reads "Dale A. Kimball". The signature is written in black ink and is positioned above a horizontal line.

DALE A. KIMBALL

United States District Judge