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Attorneys for Defendant and Counterclaim-Plaintiff Novell, Inc.

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

THE SCO GROUP, INC., a Delaware
 corporation,

Plaintiff and Counterclaim-
 Defendant,

v.

NOVELL, INC., a Delaware corporation,

Defendant and Counterclaim-
 Plaintiff.

**NOVELL, INC.'S *EX PARTE* MOTION
 FOR LEAVE TO FILE OVERLENGTH
 REPLY MEMORANDUM**

Case No. 2:04CV00139

Judge Dale A. Kimball

Defendant and Counterclaim-Plaintiff Novell, Inc., through its attorneys of record, and pursuant to DuCivR 7-1(e), hereby moves the Court for an order granting it leave to file a reply

memorandum in support of its Motion for Summary Judgment on its Fourth Claim for Relief, which exceeds the page limitations of DuCivR 56-1(b). Novell requests that it be allowed to file a reply memorandum consisting of approximately twelve (12) pages of argument.

Novell requires a two-page extension of the page limitations specified in DuCivR 56-1(b) due to the length and breadth of the memorandum and exhibits filed by Plaintiff and Counterclaim-Defendant The SCO Group, Inc. (“SCO”) in opposition to Novell’s summary judgment motion. Indeed, SCO’s opposition memorandum is 73 pages of long. SCO also submitted 89 exhibits, numbering hundreds of pages, in support of its opposition.

Novell has endeavored to be as concise as possible in drafting its arguments contained in its Reply Memorandum in Support of its Motion for Summary Judgment on its Fourth Claim for Relief, but to adequately apprise the Court of the factual and legal issues raised in SCO’s opposition and exhibits, an overlength reply memorandum is necessary.

For the foregoing reasons, Novell submits that good cause and exceptional circumstances exist for the filing of an overlength reply memorandum, and respectfully requests that it be granted leave to file the requested reply memorandum in support of its Motion for Summary Judgment on its Fourth Claim for Relief.

DATED: February 19, 2008

ANDERSON & KARRENBERG

/s/ Heather M. Sneddon

Thomas R. Karrenberg
Heather M. Sneddon

-and-

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