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Attorneys for Plaintiff, The SCO Group, Inc.

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

| | |
|---|--|
| <p>THE SCO GROUP, INC., a Delaware corporation,</p> <p style="text-align: center;">Plaintiff/Counterclaim-Defendant,</p> <p>vs.</p> <p>NOVELL, INC., a Delaware corporation,</p> <p style="text-align: center;">Defendant/Counterclaim-Plaintiff.</p> | <p>SCO'S MOTION TO VOLUNTARILY DISMISS ITS STAYED CLAIMS</p> <p>Civil No. 2:04 CV-00139 Judge Dale A. Kimball Magistrate Brooke C. Wells</p> |
|---|--|

Plaintiff/Counterclaim-Defendant, The SCO Group, Inc. (“SCO”), for the reasons set forth in SCO’s Memorandum in Support of its Motion For Entry of Final Judgment and pursuant to Rule 41 of the Federal Rules of Civil Procedure, respectfully moves this Court to voluntarily dismiss SCO’s stayed claims with prejudice on the basis of the Court’s rulings in its August 10, 2007 Memorandum Decision and Order.

DATED this 15th day of September, 2008.

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

CERTIFICATE OF SERVICE

Plaintiff/Counterclaim-Defendant, The SCO Group, Inc., hereby certifies that on this 15th day of September, 2008, a true and correct copy of the foregoing Motion to Voluntarily Dismiss SCO's Stayed Claims was electronically filed with the Clerk of Court and delivered by CM/ECF to:

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