United States District Court District of Utah

D. Mark Jones Clerk of Court Sum Diane

November 26, 2008

Louise S. York Chief Deputy Clerk

Dear Counsel:

RE: NOTICE OF APPEAL SCO Grp v. Novell Inc Plaintiff/Appellee Defendant/appellant Lower Docket: 2:04-cv-00139-DAK

The notice of appeal for this case has been filed.

RETAINED Counsel for the appellant is instructed to download the "Initial Appeal Documents and Instructions" for this appeal from <u>www.ca10.uscourts.gov</u>. Please follow the instructions for Transcript Order Form and Docketing Statement(for appellant only) regarding counsel's responsibility for compliance. For specific requirements concerning transcripts, records on appeal, briefs and appendices to briefs, please refer to the Federal Rules of Appellate Procedure and the Rules of the Tenth Circuit Court of Appeals. Rules of the Tenth Circuit are available at <u>www.ca10.uscourts.gov</u>.

Counsel and the Tenth Circuit will receive the following via CM/ECF (If counsel or party are not e-filers, they will receive these documents by mail): <u>Order/Judgment being appealed from</u>, <u>Notice of Appeal</u>, <u>Letter of Transmission of the Preliminary Record on Appeal</u>, <u>Docket Sheet</u>.

Sincerely,

D. Mark Jones, Clerk

unter Richards By:

Jennifer Richards Appeals/Generalist Clerk

DMJ:jmr

cc: Clerk, U.S. Court of Appeals, Tenth Circuit Court Reporter: District: 1088 Jurisdiction: Federal Question Judge Dale A. Kimball Counsel of Record Division: 2