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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 style="text-align: center;">vs.</p> <p>NOVELL, INC., a Delaware corporation,</p> <p style="text-align: center;">Defendant/Counterclaim-Plaintiff.</p>	<p>DECLARATION OF BRENT O. HATCH IN SUPPORT OF SCO’S RESPONSE TO NOVELL’S “NOTICE OF RELATED PROCEEDING”</p> <p>Civil No. 2:04 CV-00139</p> <p>Judge Ted Stewart</p>
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I, Brent O. Hatch, declare as follows:

1. I am a citizen of the United States, am over the age of 21, and am competent to testify to the matters set forth herein.
2. I am an attorney at law duly licensed to practice before all the Courts of the State of Utah, and an attorney with the firm of Hatch, James & Dodge PC, counsel for the Plaintiff/Counterclaim-Defendant, The SCO Group, Inc., in the pending motion.
3. Attached as hereto and filed herewith are true and correct copies of the following documents:

<u>EXHIBIT</u>	<u>DOCUMENT DESCRIPTION</u>
A	October 23, 2009 Transcript of hearing held in the United States Bankruptcy Court for the District of Delaware, case number 07-11337 (KG), <u>In re The SCO Group, Inc. et al.</u>
B	SUSE's Motion for Relief from the Automatic Stay to Complete International Arbitration dated November 10, 2009, filed in the United States Bankruptcy Court for the District of Delaware, case number 07-11337 (KG), <u>In re The SCO Group, Inc. et al.</u>
C	Order re Pretrial Schedule dated July 11, 2007, filed in the underlying action.
D	Order Regarding Temporary Administrative Closure of Case dated September 20, 2007, filed in the United States District Court for the District of Utah, case number 2:03CV294 DAK, <u>The SCO Group, Inc. v. International Business Machines Corporation.</u>
E	November 18, 2009 Declaration of Edward N. Cahn.
F	Novell, Inc.'s Motion for Relief from the Automatic Stay to Proceed with District Court Action to (I) Apportion Revenue from ScoSource Licenses and (II) Determine SCO's Authority to Enter into ScoSource Licenses, Etc., dated October 4, 2007, filed in the United States Bankruptcy Court for the District of Delaware, case number 07-11337 (KG), <u>In re The SCO Group, Inc. et al.</u>
G	Novell, Inc.'s Reply to Debtors' Response to Motion for Relief from the Automatic Stay to Proceed with District Court Action to (I) Apportion Revenue from ScoSource Licenses and (II) Determine SCO's Authority to Enter into

<u>EXHIBIT</u>	<u>DOCUMENT DESCRIPTION</u>
	ScoSource Licenses, Etc., dated November 1, 2007, filed in the United States Bankruptcy Court for the District of Delaware, case number 07-11337 (KG), <u>In re The SCO Group, Inc. et al.</u>

4. I declare under penalty of perjury that the foregoing is true and correct.

Dated this 24th day of November, 2009.

/s/ Brent O. Hatch

Brent O. Hatch

CERTIFICATE OF SERVICE

Plaintiff/Counterclaim-Defendant, The SCO Group, Inc., hereby certifies that on this 24th day of November, 2009, a true and correct copy of the foregoing was filed with the court and served via CM/ECF to the following recipients:

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/s/ Brent O. Hatch

Brent O. Hatch