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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., by and through the Chapter 11 Trustee in Bankruptcy, Edward N. Cahn,</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 SUPPLEMENTAL RULE 26(a)(3) PRETRIAL DISCLOSURES</p> <p>Civil No. 2:04 CV-00139</p> <p>Judge Ted Stewart</p>
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In accordance with Rule 26(a)(3) of the Federal Rules of Civil Procedure, and pursuant to the Court’s Amended Scheduling Order dated January 6, 2010, Plaintiff, The SCO Group, Inc. (“SCO”), respectfully submits to the Court and provides to Defendant, Novell, Inc. (“Novell”), SCO’s Supplemental Pretrial Disclosures supplementing the disclosures SCO made in its Amended Rule 26(a)(3) Pretrial Disclosures filed on August 6, 2007.¹

1. Rule 26(a)(3)(A)-(B) – WITNESSES

The following chart contains the names and contact information for witnesses SCO expects to present or may present at trial in addition to the witnesses SCO previously disclosed in its Amended Rule 26(a)(3) Pretrial Disclosures filed on August 6, 2007.

Person	Expect/May Call	Presented Live or By Deposition	Contact Information
Hughes, Erick	May	Live	Contact through Boies, Schiller & Flexner LLP
Nagle, Andrew	May	Live	Contact through Boies, Schiller & Flexner LLP
Tibbitts, Ryan	Expect	Live	Contact through Boies, Schiller & Flexner LLP

¹ In a letter dated June 28, 2007, SCO’s counsel informed Novell’s counsel that Novell has waived the attorney-client privilege with respect to many documents listed on Novell’s privilege logs, including documents that Novell produced in redacted form and documents that Novell has withheld entirely. With respect to most of these documents, the parties appear to be in disagreement as to whether there has been any waiver and, if so, the extent of its scope and the potential relevance of the referenced documents, but the parties are continuing to meet and confer on the issue. SCO reserves the right to supplement the information provided in its Pretrial Disclosures with any additional documents that Novell has improperly redacted or withheld based on its privilege objection, as well as with the names and contact information of any other witnesses identified through any such documents.

SCO also reserves the right to call, and hereby discloses as witnesses it may call, all the witnesses Novell identifies in its Rule 23(a) Pretrial Disclosures dated August 2, 2007, its Supplemental Pretrial Disclosures, and any amendments to those Disclosures. In addition, SCO reserves the right to present by deposition all the witnesses it has designated as “live” witnesses, and to present live all the witnesses it has designated as “deposition” witnesses.

2. Rule 26(a)(3)(C) – EXHIBITS

The following chart identifies exhibits SCO expects to offer or may offer at trial in addition to the exhibits SCO previously disclosed in its Amended Rule 26(a)(3) Pretrial Disclosures filed on August 6, 2007.

Beginning Bates	Ending Bates	Other Document Identifier	Document Date	Expect to Offer/May Offer
		Novell’s interrogatory responses in this case		May
		Novell’s 2009 Annual Report (Form 10-K)		May
		Novell’s 2009 Quarterly Reports (Form 10-Q)		May
		Novell’s 2010 Quarterly Reports (Form 10-Q), if any available		May
NOV 000002356	NOV 000002360	Statement of Work	November 16, 1995	May
NOV 000002695	NOV 000002700	Statement of Work	November 16, 1995	May
NOV 000015338	NOV 000015342	Statement of Work	November 16, 1995	May
NOV 000015469	NOV 000015474	Statement of Work	November 16, 1995	May
SCO1592051	SCO1592056	Statement of Work	November 16, 1995	May
NOV 000002247	NOV 000002249	SOW for Licensing and Contract Management	December 5, 1995	May
NOV 000012724	NOV 000012750	SCO Forum 2003 SCOsource Update	August 2003	May
SCO1270120	SCO1270123	SCOsource Press Release	December 11, 2002	May
NOV 000039578	NOV 000039578	Deposition Ex. 0213	November 20, 2002	May
NOV 000039586	NOV 000039586	Deposition Ex. 1041	November 15, 2002	May

Beginning Bates	Ending Bates	Other Document Identifier	Document Date	Expect to Offer/May Offer
NOV 000039579	NOV 000039580	Deposition Ex. 1044	December 4, 2002	May
NOV 000039591	NOV 000039592	Email from G. Jones to D. Wright	November 22, 2002	May
SCO1275727	SCO1275746	SCOsorce Announcement		May
SCO0976646	SCO0976647	Letter from Novell to AT&T Global	July 10, 1995	May
SCON0101724	SCON0101724	Letter from Novell to SunSoft	May 23, 1996	May
NOV 000040893	NOV 000040896	Novell Memorandum	September 15, 1995	May
NOV 000040088	NOV 000040089	Novell Memorandum	September 15, 1995	May
NOV 000040897	NOV 000040922	Santa Cruz Guide		May
NOV 000040967	NOV 000040968	BPH Letter	May 1, 1996	May
SCON0035986	SCON0036017	"IBM, Linux and You"		May
181011191	181011221	"IBM, Linux and You"		May
		Exhibit 339 to the November 16, 2006 Declaration of Brent O. Hatch in the IBM Litigation		May
		Exhibit 340 to the November 16, 2006 Declaration of Brent O. Hatch in the IBM Litigation		May
		Exhibit 334 to the November 16, 2006 Declaration of Brent O. Hatch in the IBM Litigation		May
		All declarations the parties have filed in this case and all exhibits to those declarations		May
NOV 000001813	NOV 000001818	Novell letter to Prentice-Hall	March 25, 1996	May
SCO1185841	SCO1185842	Novell letter to Microsoft	January 22, 1996	May

In addition, SCO reserves the right to offer, and hereby discloses as documents it may offer, all the exhibits Novell identifies in its Rule 23(a) Pretrial Disclosures dated August 2, 2007, its Supplemental Pretrial Disclosures, and any amendments to those Disclosures.

DATED this 1st day of February, 2010.

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CERTIFICATE OF SERVICE

I, Edward Normand, hereby certify that on this 1st day of February, 2010, a true and correct copy of the foregoing **SCO'S SUPPLEMENTAL RULE 26(a)(3) PRETRIAL DISCLOSURES** was filed with the court and served via electronic mail to the following recipients:

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