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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,

vs.

NOVELL, INC., a Delaware corporation,

Defendant.

Case No. 2:04CV00139

**NOVELL'S OBJECTIONS TO SCO'S
SECOND AMENDED SUPPLEMENTAL
RULE 26(a)(3) PRETRIAL
DISCLOSURES**

Judge Ted Stewart

AND RELATED COUNTERCLAIMS.

Pursuant to Federal Rule of Civil Procedure 26(a)(3), Novell responds to SCO's Second Amended Supplemental Rule 26(a)(3) Pretrial Disclosures (Dkt. 625) as follows:

Novell re-asserts and incorporates herein by reference the objections to SCO's trial exhibits stated in Novell's August 31, 2007 Objections to SCO's Rule 26 Disclosure (Dkt. 429). As set forth in Exhibit A attached hereto, Novell also objects to the admissibility of certain additional exhibits identified in SCO's Second Amended Supplemental Rule 26(a)(3) Pretrial Disclosures. Novell notes that SCO has identified as an exhibit "All declarations the parties have filed in this case and all exhibits to those declarations." Novell reserves the right to object to specific declarations and exhibits should SCO seek to admit them at trial.

DATED: February 8, 2010

Respectfully submitted

By: /s/ Sterling A. Brennan

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