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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 MOTION FOR LEAVE  
TO FILE REPLY TO SCO'S  
OPPOSITION TO NOVELL'S  
MOTION IN LIMINE NO. 1**(Reply attached hereto as Exhibit A;  
proposed order permitting filing of reply  
submitted herewith)

Judge Ted Stewart

AND RELATED COUNTERCLAIMS.

Novell hereby requests leave to file a reply to SCO's opposition to Novell's motion in limine no. 1 (the "Motion"), limited strictly to points raised by SCO in its opposition. As the Court recognized when it established a separate, accelerated deadline for SCO to oppose the Motion, the significance of the issues presented by the Motion, in particular, justify some departures from the procedures to be employed with respect to the other motions in limine.

The proposed reply is attached hereto as Exhibit A. A proposed order permitting the filing of the reply is submitted concurrently herewith.

DATED: February 15, 2010

Respectfully submitted,

By:     /s/ Sterling A. Brennan    

WORKMAN NYDEGGER

MORRISON & FOERSTER LLP

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Counterclaim-Plaintiff Novell, Inc.