Brent O. Hatch (5715) bhatch@hjdlaw.com Mark F. James (5295) mjames@hjdlaw.com HATCH, JAMES & DODGE, PC 10 West Broadway, Suite 400 Salt Lake City, Utah 84101 Telephone: (801) 363-6363 Facsimile: (801) 363-6666

David Boies (admitted pro hac vice) dboies@bsfllp.com Robert Silver (admitted pro hac vice) rsilver@bsfllp.com Edward Normand (admitted pro hac vice) enormand@bsfllp.com BOIES SCHILLER & FLEXNER LLP 333 Main Street Armonk, New York 10504

Telephone: (914) 749-8200 Facsimile: (914) 749-8300 Stuart Singer (admitted pro hac vice) ssinger@bsfllp.com
Sashi Bach Boruchow (admitted pro hac vice) sboruchow@bsfllp.com
BOIES SCHILLER & FLEXNER LLP
401 East Las Olas Blvd.
Suite 1200
Fort Lauderdale, Florida 33301

Telephone: (954) 356-0011 Facsimile: (954) 356-0022

Attorneys for Plaintiff, The SCO Group, Inc.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC., by and through the Chapter 11 Trustee in Bankruptcy, Edward N. Cahn,

Plaintiff/Counterclaim-Defendant,

vs.

NOVELL, INC., a Delaware corporation,

Defendant/Counterclaim-Plaintiff.

SCO'S OBJECTIONS TO NOVELL'S RULE 26(a)(3) PRETRIAL DISCLOSURES

Civil No. 2:04 CV-00139

Judge Ted Stewart

Pursuant to Federal Rule of Civil Procedure 26(a)(3), Plaintiff-counterclaim/defendant,

The SCO Group, Inc. (SCO), by and through the Chapter 11 Trustee in Bankruptcy, Edward N.

Cahn, respectfully submits its objections to the trial exhibits disclosed by Defendant-

counterclaim/plaintiff Novell, Inc. (Novell) The list of objections is attached hereto as

Exhibit A.

SCO reserves the right to amend these objections, including by modifying any objection

or non-objection found herein, in light of the issues presented by the manner in which Novell

identified its disclosures through inconsistent Bates ranges and Bates numbering that does not

correspond to production documents. In addition, SCO was unable to find the documents

identified in Exhibit A by an asterisk. SCO reserves the right to object to those exhibits.

DATED this 1st day of March, 2010.

By: /s/ Brent O. Hatch

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

BOIES, SCHILLER & FLEXNER LLP

David Boies

Robert Silver

Stuart H. Singer

Edward Normand

Sashi Bach Boruchow

Counsel for The SCO Group, Inc.

2

CERTIFICATE OF SERVICE

I, Brent O. Hatch, hereby certify that on this 1st day of March, 2010, a true and correct copy of the foregoing SCO'S OBJECTIONS TO NOVELL'S RULE 26(a)(3)

DISCLOSURES was filed with the court and served via electronic mail to the following recipients:

Sterling A. Brennan
David R. Wright
Kirk R. Harris
Cara J. Baldwin
WORKMAN | NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

Thomas R. Karrenberg Heather M. Sneddon ANDERSON & KARRENBERG 700 Bank One Tower 50 West Broadway Salt Lake City, UT 84101

Michael A. Jacobs Eric M. Aker Grant L. Kim MORRISON & FOERSTER 425 Market Street San Francisco, CA 94105-2482

Counsel for Defendant and Counterclaim-Plaintiff Novell, Inc.

By: /s/ Brent O. Hatch HATCH, JAMES & DODGE, P.C. Brent O. Hatch