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## 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 RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW OR, IN THE ALTERNATIVE, FOR A NEW TRIAL

(ORAL ARGUMENT REQUESTED)

Civil No. 2:04 CV-00139

Judge Ted Stewart

Plaintiff, The SCO Group, Inc. ("SCO"), pursuant to Rule 50(b) of the Federal Rules of Civil Produce, hereby respectfully moves the Court for judgment as a matter of law in favor of SCO for the reasons set forth in SCO's Memorandum in Support of Its Renewed Motion for Judgment as a Matter of Law or, in the Alternative, for a New Trial, submitted herewith. In the alternative, SCO respectfully moves the Court to grant SCO a new trial pursuant to Rule 59 of the Federal Rules of Civil Procedure, for the reasons set forth in that same memorandum.

DATED this 27th day of April, 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.

## **CERTIFICATE OF SERVICE**

I, Brent O. Hatch, hereby certify that on this 27th day of April, 2010, a true and correct copy of the foregoing SCO'S RENEWED MOTION FOR JUDGMENT AS A MATTER OF LAW OR, IN THE ALTERNATIVE, FOR A NEW TRIAL was filed with the Court and served via electronic mail to the following recipients:

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