

---

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**  
**CENTRAL DIVISION**

---

**THE SCO GROUP, INC.,**

**Plaintiff,**

**vs.**

**NOVELL, INC.,**

**Defendant.**

**ORDER**

**Civil Case No. 2:04CV139DAK**

---

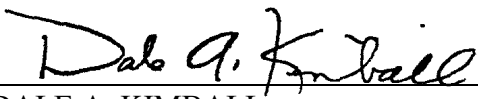
On January 11, 2008, the court scheduled a four-day bench trial in this matter to begin on April 29, 2008. As the parties are likely aware, the court runs its trial day from 8:30 a.m. to 2:00 p.m., with two fifteen minute breaks and no lunch break. The court requests that the parties submit on the morning of the first day of trial their Proposed Findings of Fact, Conclusions of Law, and Proposed Judgment. If the parties desire to file Trial Briefs, they should do so by April 23, 2008. The court previously received a Trial Brief from Novell, but did not receive a brief from SCO. The court will hear any pending motions for summary judgment in this case on Wednesday, April 30, at 3:00 p.m.

Pursuant to Local Rule DUCivR 83-5, each party is required to pre-mark all exhibits intended to be introduced during trial and prepare an exhibit list for the court's use at trial. Exhibit labels (stickers) are available at the Intake Desk in the Clerk's Office. The standard exhibit list form is available on the Court's website ([www.utd.uscourts.gov](http://www.utd.uscourts.gov)). The court typically requests that Plaintiffs list their exhibits by consecutive numbers and Defendants list their

exhibits by consecutive letters. The court recalls, however, that the parties had previously agreed to a different system. The parties should contact Judge Kimball's Case Manager, Kim Jones, if they still intend to use a different system. The parties should not file the exhibit list or the exhibits. The exhibit list is to be provided to the Courtroom Deputy Clerk on the first morning of trial; the exhibits are to remain in the custody of counsel until admitted as evidence by the Court.

DATED this 15<sup>th</sup> day of January, 2008.

BY THE COURT:

  
\_\_\_\_\_  
DALE A. KIMBALL  
United States District Judge