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FILED  
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DISTRICT OF UTAH  
BY: 

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

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THE SCO GROUP, INC., a Delaware corporation,

Plaintiff,

vs.

NOVELL, INC., a Delaware corporation,

Defendant.

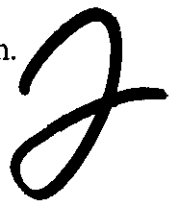
**MOTION TO DISMISS**

Case No. 2:04CV00139

Judge Dale A. Kimball

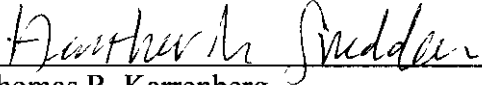
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Defendant Novell, Inc., by and through its attorneys of record, hereby moves this Court to dismiss The SCO Group, Inc.'s Complaint for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). The grounds for this Motion are more fully set forth in the Memorandum in Support, filed concurrently herewith.



DATED: February 9, 2004.

ANDERSON & KARRENBERG

  
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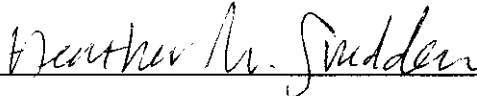
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9<sup>th</sup> day of February, 2004, I caused a true and correct copy of the foregoing **MOTION TO DISMISS** to be served via first class mail, postage prepaid, to the following:

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