

STANLEY J. PRESTON (4119)  
MICHAEL R. CARLSTON (0577)  
MARALYN M. REGER (8468)  
SNOW, CHRISTENSEN & MARTINEAU  
Attorneys for Plaintiffs  
10 Exchange Place, Eleventh Floor  
Post Office Box 45000  
Salt Lake City, Utah 84145  
Telephone: (801) 521-9000

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IN THE FOURTH JUDICIAL DISTRICT COURT  
UTAH COUNTY, STATE OF UTAH

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RALPH J. YARRO III, an individual,  
DARCY G. MOTT, an individual, and  
BRENT D. CHRISTENSEN, an individual,

Plaintiffs,

vs.

VAL NOORDA Kriedel, an individual,  
TERRY PETERSON, an individual,  
WILLIAM MUSTARD, an individual, THE  
NOORDA FAMILY TRUST, a Trust,  
RAYMOND J. NOORDA, an individual  
and a trustee of the Noorda Family Trust,  
LEWENA NOORDA, an individual and a  
trustee of the Noorda Family Trust, and  
JOHN DOES 1 THROUGH 10,

Defendants.

**AFFIDAVIT OF DARCY MOTT**

Civil No. 050400205

Honorable Anthony W. Schofield, Div. 8

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STATE OF UTAH            )  
                                  : ss.  
COUNTY OF UTAH        )

DARCY MOTT, being first duly sworn, upon oath, deposes and says:

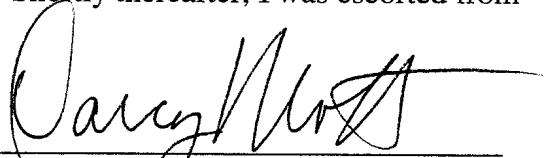
1. I am over twenty-one years of age and have personal knowledge of the facts stated below.

2. In early 1999, after interviewing with Mr. Noorda, I was hired as Chief Financial Officer for Canopy. I first became acquainted with Mr. Noorda in 1986, when we both worked at Novell. Before accepting employment at Canopy, Mr. Noorda promised that Canopy would put in place a plan which would provide Canopy employees with an equity ownership interest in the company.

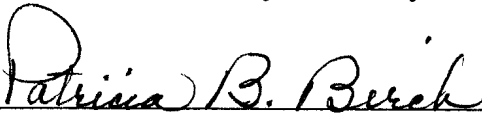
3. I have served as Canopy's Chief Financial Officer, Vice President and Treasurer since 1999.

4. Under the Canopy 2000 Recapitalization Plan, I have been granted options on both Class A Voting Common Stock and Class B Non-Voting Common Stock. I have exercised all of my Class A Voting Common Stock options.

5. On December 17, 2004, I was asked to meet some men in a conference room at Canopy. When I went to the room, David Watkiss, an attorney from Ballard Spahr Andrews and Ingersoll, LLP, handed me a copy of a purported resolution of Canopy's Board and stated that my employment with Canopy was terminated immediately. Shortly thereafter, I was escorted from Canopy's building.

  
\_\_\_\_\_  
DARCY MOTT

SUBSCRIBED AND SWORN TO before me this 28<sup>th</sup> day of January, 2005.

  
\_\_\_\_\_  
Notary Public  
Residing in Salt Lake City, Ut.

My Commission Expires:

8/30/08

