

FILED IN
4TH DISTRICT COURT
STATE OF UTAH
UTAH COUNTY
JUN 31 8 00 AM '05

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Attorneys for Defendants Raymond J.
Noorda and Lewena Noorda, as Trustees
of the Noorda Family Trust, William Mustard, and
Intervenor The Canopy Group, Inc.

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

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

Plaintiffs,

vs.

**VAL NOORDA KREIDEL, 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 I THROUGH 10,**

Defendants.

**THE CANOPY GROUP, INC.'S
MOTION TO INTERVENE**

Civil No. 050400205

**Honorable Anthony W. Schofield
Division 8**

Pursuant to Rule 24(a) of the Utah Rules of Civil Procedure, The Canopy Group, Inc. ("Canopy"), by and through its counsel, Ballard Spahr Andrews & Ingersoll, LLP, hereby moves for an Order permitting it to intervene in this action.

This Motion is made on the following grounds:

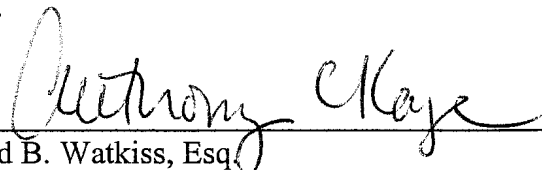
1. Plaintiffs Ralph J. Yarro III, Darcy G. Mott, and Brent D. Christensen ("Plaintiffs") have filed a Motion and Application for Temporary Restraining Order and Preliminary Injunction requesting that Plaintiffs be reinstated to their respective positions of employment with Canopy as they existed prior to December 17, 2004.

2. Plaintiffs' request for relief seeks to force Canopy to take particular action;

3. Many of the acts of which Plaintiffs complain are the acts of Canopy.

This Motion is supported by a Memorandum in Support of Motion to Intervene, filed concurrently.

DATED this 31st day of January, 2005.



David B. Watkiss, Esq.
Anthony C. Kaye, Esq.
James W. Stewart, Esq.
Boyd L. Rogers, Esq.
BALLARD SPAHR ANDREWS & INGERSOLL, LLP
Attorneys for Defendants Raymond J.
Noorda and Lewena Noorda, as Trustees
of the Noorda Family Trust, William Mustard,
and Intervenor The Canopy Group, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of January 2005, I caused a true and correct copy of **THE CANOPY GROUP, INC.'S MOTION TO INTERVENE** to be hand-delivered to:

Stanley J. Preston, Esq.
SNOW, CHRISTENSEN & MARTINEAU
10 Exchange Place, 11th Floor
Salt Lake City, Utah 84145

