

4TH DISTRICT COURT
STATE OF UTAH
UTAH COUNTY
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CLO.

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and Lewena Noorda, as Trustees of the Noorda
Family Trust; William Mustard; and Defendant-
Intervenor, The Canopy Group, Inc.

**IN THE FOURTH JUDICIAL DISTRICT COURT
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.,

Intervenor/Defendant.

MOTION TO CONSOLIDATE

Case No. 050400205

Honorable Anthony W. Schofield

Pursuant to Rule 42 of the *Utah Rules of Civil Procedure*, Defendants Raymond J. Noorda and Lewena Noorda, in their capacity as Trustees of the Noorda Family Trust, William Mustard, and Intervenor-Defendant, The Canopy Group, Inc. (collectively, the “Canopy Defendants”), through their counsel, respectfully move that the Court consolidate this action with a related civil action, *The Canopy Group, Inc. et al. v. Ralph J. Yarro III et al.*, Fourth Judicial District Court, Utah County, State of Utah, Civil No. 050400245 (the “Canopy Action”), which is also pending before the Honorable Anthony W. Schofield. This Motion is supported by the accompanying Memorandum in Support of Motion to Consolidate. For the reasons set forth in the accompanying Memorandum, the Canopy Defendants respectfully request that the Court enter an order granting this Motion and consolidating this action with the Canopy Action.

DATED this 14th day of February 2005.



David B. Watkiss, Esq.
Anthony C. Kaye, Esq.
James W. Stewart, Esq.
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Craig H. Howe, Esq.
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Attorneys for Defendants The Noorda Family
Trust, Raymond J. Noorda, Lewena Noorda and
Intervenor/Defendant The Canopy Group, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **MOTION TO CONSOLIDATE** was served on the following this 14th day of February 2005, in the manner set forth below:

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