

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**

SCO GROUP, a Delaware corporation,

Plaintiff - Appellant

v.

NOVELL, INC., a Delaware corporation,

Defendant - Appellee

No. 08-4217

WAYNE R. GRAY,

Movant

ORDER

Filed May 6, 2009

Before **LUCERO, BALDOCK, and MCCONNELL**, Circuit Judges.

This matter was argued by counsel and submitted to the court. Stuart Singer argued for the Appellant. Michael Jacobs argued for the Appellee.

Entered for the Court



ELISABETH A. SHUMAKER
Clerk of the Court