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DISTRICT OF UTAH
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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC. Plaintiff/Counterclaim-Defendant, vs. INTERNATIONAL BUSINESS MACHINES CORPORATION, Defendant/Counterclaim-Plaintiff.	**~~[Proposed]~~ ORDER GRANTING PLAINTIFF'S EX PARTE MOTION FOR LEAVE TO FILE OVER-LENGTH MEMORANDUM** **Civil No. 2:03CV0294 DAK** **Honorable Dale A. Kimball** **Magistrate Judge Brooke Wells**

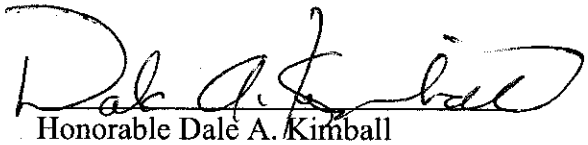
This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group ("SCO") for Leave to File an over-length Memorandum in Opposition to Defendant International Business Machines' Motion for Partial Summary

201

Judgment on its Tenth Counterclaim for Declaratory Judgment of Non-Infringement and in Support of its Rule 56(b) Motion. The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and here ORDERS that SCO be granted leave to file its over-length Memorandum.

DATED: July 9, 2004.

BY THE COURT:



Honorable Dale A. Kimball

CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, hereby certifies that a true and correct copy of [Proposed] **ORDER GRANTING PLAINTIFF'S EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH MEMORANDUM** was served on Defendant International Business Machines Corporation on the 9th day of July, 2004, as follows:

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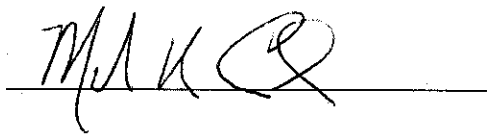

kvs

United States District Court
for the
District of Utah
July 12, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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