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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
EX PARTE MOTION FOR
LEAVE TO FILE OVER-
LENGTH MEMORANDUM

Case No. 2:03-CV-0294 DAK

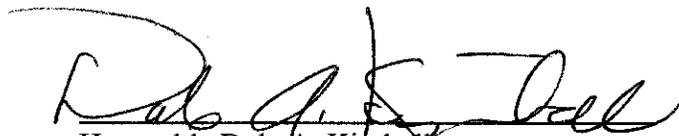
Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

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This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group, Inc. ("SCO") for Leave to File an over-length Memorandum in Opposition to IBM's Motion to Strike Materials Submitted by SCO in Opposition to IBM's Cross-Motion for Partial Summary Judgment. The Court, having considered this matter, hereby determines that good cause and exceptional circumstances exist and hereby ORDERS that SCO be granted leave to file its over-length Memorandum.

DATED: September ^{Bth}, 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 OVER-LENGTH MEMORANDUM** was served on Defendant International Business Machines Corporation in this 7th day of September, 2004 by U.S. mail, postage prepaid to:

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A large, stylized handwritten signature in black ink, appearing to be the signature of Alan L. Sullivan, Esq.

United States District Court
for the
District of Utah
September 13, 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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