

Brent O. Hatch (5715)  
 Mark F. James (5295)  
 HATCH, JAMES & DODGE, P.C.  
 10 West Broadway, Suite 400  
 Salt Lake City, Utah 84101  
 Telephone: (801) 363-6363  
 Facsimile: (801) 363-6666

Stephen N. Zack (Pro hac vice)  
 Mark J. Heise (Pro hac vice)  
 BOIES, SCHILLER & FLEXNER L.L.P.  
 100 Southeast Second Street, Suite 2800  
 Miami, Florida 33131  
 Telephone: (305) 539-8400  
 Facsimile: (305) 539-1307

*Attorneys for Plaintiff The SCO Group, Inc.*

**FILED**  
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DISTRICT OF UTAH

BY: \_\_\_\_\_  
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IN THE UNITED STATES DISTRICT COURT  
 DISTRICT OF UTAH

THE SCO GROUP, INC.,  
 a Delaware corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
 CORPORATION, a New York corporation,

Defendant.

**PLAINTIFF'S MOTION FOR  
 ENLARGEMENT OF TIME TO  
 RESPOND TO IBM'S AMENDED  
 COUNTERCLAIMS AGAINST  
 SCO**

Case No. 03-CV-0294

Hon: Dale A. Kimball  
 Magistrate Judge Wells

Plaintiff/Counterclaim Defendant, The SCO Group, Inc. ("SCO"), through its undersigned counsel, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and applicable Local Rules, files this Motion for Enlargement of Time to Respond to Defendant IBM's Amended Counterclaims against SCO, and in support states:

49

1. On September 23, 2003, the Court granted SCO to October 15, 2003, to respond to the Counterclaims raised by International Business Machines Corporation ("IBM") in its Answer to the Amended Complaint and Counterclaim-Plaintiff IBM's Counterclaims against SCO

2. Two days later, on September 25, 2003, IBM filed and served SCO with Amended Counterclaims.

3. The Amended Counterclaims contained additional causes of action not included in the counterclaims as originally filed.

4. SCO should be allowed an additional seven business days to October 24, 2003, to respond to the new Counterclaims.

5. No prejudice will come to IBM by the granting of the requested enlargement, and the grant of this Motion will not affect the schedule in this case.

6. SCO respectfully requests an extension of time to October 24, 2003, to respond to IBM's Amended Counterclaims.

DATED this 14<sup>th</sup> day of October, 2003.

Respectfully submitted,

By:



HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

BOIES, SCHILLER & FLEXNER, L.L.P.

Stephen N. Zack

Mark J. Heise

*Counsel for Plaintiff/Counterclaim Defendant*

**CERTIFICATE OF SERVICE**

Plaintiff, The SCO Group, Inc. hereby certifies that a true and correct copy of **PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO IBM'S AMENDED COUNTERCLAIMS AGAINST SCO** was served on Defendant International Business Machines Corporation on this 14<sup>th</sup> day of October, 2003, by facsimile and U.S. Mail, first class, postage prepaid, on their counsel of record as indicated below:

Copies by U.S. Mail and Facsimile:

Alan L. Sullivan, Esq.  
Todd M. Shaughnessy, Esq.  
Snell & Wilmer L.L.P.  
15 West South Temple, Ste. 1200  
Gateway Tower West  
Salt Lake City, Utah 84101-1004

Facsimile: 257-1800

Evan R. Chesler, Esq.  
David R. Marriott, Esq.  
Cravath, Swaine & Moore LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019

Facsimile: (212) 474-3700

Copies by U.S. Mail to

Donald J. Rosenberg, Esq.  
1133 Westchester Avenue  
White Plains, New York 10604

