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## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

[PROPOSED] ORDER GRANTING IBM'S EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH MEMORANDUM IN OPPOSITION TO SCO'S MOTION FOR RECONSIDERATION OF THE ORDER DENYING SCO'S MOTION FOR RELIEF FOR IBM'S ALLEGED SPOLIATION OF EVIDENCE

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon Defendant/Counterclaim-Plaintiff International Business Machines Corporation's ("IBM") Ex Parte Motion for Leave to File Overlength Memorandum in Opposition to SCO's Motion for Reconsideration of the Order Denying SCO's Motion for Relief for IBM's Alleged Spoliation of Evidence, and for good cause appearing thereon,

IT IS HEREBY ORDERED that IBM may file its overlength Memorandum in Opposition to SCO's Motion for Reconsideration of the Order Denying SCO's Motion for Relief for IBM's Alleged Spoliation of Evidence, consisting of approximately 31 pages of argument, exclusive of face sheet, table of contents and authorities, preliminary and fact statements, and appendices and exhibits.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

BY THE COURT

U.S. District Court Judge Dale A. Kimball

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of April, 2007, a true and correct copy of the

foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system

to the following:

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