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International Business Machines Corporation*

**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 OBJECTIONS  
TO THE MAGISTRATE JUDGE'S  
ORDER DENYING SCO'S MOTION FOR  
RELIEF FOR IBM'S ALLEGED  
SPOILIATION 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 Objections to the Magistrate Judge's 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 Objections to the Magistrate Judge's Order Denying SCO's Motion for Relief for IBM's Alleged Spoliation of Evidence, consisting of approximately 16 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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