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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,  
Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**MOTION FOR EXTENSION OF  
DEADLINES IN MAY 29, 2007 ORDER**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Defendant and Counterclaim-Plaintiff International Business Machines Corporation (“IBM”), through counsel, hereby moves the Court for an extension of the pre-trial deadlines set forth in the Court’s May 29, 2007 Order as follows:

IBM seeks an approximately 30-day extension of each of the deadlines set forth in the Court’s May 29, 2007 Order, and submits herewith a proposed form of order confirming those revised deadlines as follows:

Rule 26(a)(3) Disclosures shall be due on August 13, 2007;

Motions in Limine regarding expert testimony shall be due on August 27, 2007;

Objections and counter-designations to Rule 26(a)(3) Disclosures shall be due on September 4, 2007;

All remaining Motions in Limine shall be due on September 10, 2007;

The deadline for exchanging jury instructions shall be September 24, 2007;

The Final Pretrial Order shall be due 45 days before trial;

The Special Attorney Conference and Settlement Conference shall be held 60 days before trial; and

The Court will send to the parties a Trial Order setting further deadlines for the case approximately six weeks prior to trial.

SCO has raised a concern that moving these deadlines by 30 days would put these deadlines in conflict with the pretrial and trial dates in SCO v. Novell, currently set for trial beginning September 17, 2007. IBM has no objection to moving these dates to a time commencing reasonably promptly after the conclusion of the currently-scheduled trial in SCO v. Novell, but has been unable to confirm such dates with counsel for SCO. IBM will therefore stipulate, if necessary, to a further extension of the foregoing deadlines.

DATED this 13th day of July, 2007.

SNELL & WILMER L.L.P.

/s/ Todd M. Shaughnessy  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 13th day of July, 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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