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-5 MAY 04 PH 3: 1.7 DISTRICT OF UTAH

BY: DEPUT HOLERY

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Attorneys for Defendant/Counterclaim-Plaintiff International Business Machines Corporation

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.

STIPULATION RE BRIEFING FOR PENDING MOTIONS

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke Wells



The parties, through their counsel of record, hereby stipulate and jointly move the Court for an Order setting the following deadlines for briefing:

IBM's Memorandum in Opposition to SCO's Motion to Dismiss shall be due on May 14, 2004;

IBM's Memorandum in Opposition to SCO's Motion to Amend Scheduling Order shall be due on May 14, 2004;

SCO's Reply Memorandum in Support of its Motion to Dismiss shall be due on May 28, 2004.

SCO's Reply Memorandum in Support of its Motion to Amend Scheduling Order shall be due on May 28, 2004.

DATED this 51 day of May, 2004.

SNELL & WILMER LLP. Alan L. Sullivan Todd M. Shaughnessy

CRAVATH, SWAINE & MOORE Evan R. Chesler David R. Marriott

Counsel for Defendant International
Business Machines Corporation

DATED this $\underline{474}$ day of May, 2004.

HATCH, JAMES & DODGE, P.C. Brent O. Hatch Mark R. Clements