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28 MAY U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

BY: \_\_\_\_\_  
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THE SCO GROUP, INC.  
Plaintiff

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION  
Defendant.

\*  
\* CASE NO. 2:03CV-0294 DAK  
\*  
\* Appearing on behalf of:  
\*  
\* PLAINTIFF  
\* (Plaintiff/Defendant)  
\*

MOTION AND CONSENT OF DESIGNATED ASSOCIATE LOCAL COUNSEL

I, Jeremy O. Evans hereby move the pro hac vice admission of petitioner to practice in this Court. I hereby agree to serve as designated local counsel for the subject case; to readily communicate with opposing counsel and the Court regarding the conduct of this case; and to accept papers when served and recognize my responsibility and full authority to act for and on behalf of the client in all case-related proceedings, including hearings, pretrial conferences, and trials, should Petitioner fail to respond to any Court order.

Date: May 28, 2004 [Signature] 10087  
(Signature of Local Counsel) (Utah Bar Number)

APPLICATION FOR ADMISSION PRO HAC VICE

Petitioner, ROBERT SILVER, hereby requests permission to appear pro hac vice in the subject case. Petitioner states under penalty of perjury that he/she is a member in good standing of the bar of the highest court of a state or the District of Columbia; is (i)  a non-resident of the State of Utah or, (ii)  a new resident who has applied for admission to the Utah State Bar and will take the bar examination at the next scheduled date; and, under DUCivR 83-1.1(d), has associated local counsel in this case. Petitioner's address, office telephone, the courts to which admitted, and the respective dates of admission are provided as required.

Petitioner designates Jeremy O. Evans as associate local counsel.

Date: MAY 27, 2004. Check here  if petitioner is lead counsel.

[Signature]  
(Signature of Petitioner)

Name of Petitioner: ROBERT SILVER Office Telephone: 914-749-8200  
(Area Code and Main Office Number)

Business Address: BOIES, SCHILLER & FLEXNER LLP  
(Firm/Business Name)  
333 MAIN STREET ARMONK NY 10504  
Street City State Zip

162

**BAR ADMISSION HISTORY**

COURTS TO WHICH ADMITTED	LOCATION	DATE OF ADMISSION
UNITED STATES DISTRICT COURT	SOUTHERN DISTRICT OF NEW YORK	1985
UNITED STATES DISTRICT COURT	EASTERN DISTRICT OF NEW YORK	1985
FIRST DEPARTMENT	STATE OF NEW YORK	1985

(If additional space is needed, attach separate sheet.)

**PRIOR PRO HAC VICE ADMISSIONS IN THIS DISTRICT**

CASE TITLE	CASE NUMBER	DATE OF ADMISSION
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(If additional space is needed, attach a separate sheet.)

**FEE PAID**

**ORDER OF ADMISSION**

It appearing to the Court that Petitioner meets the pro hac vice admission requirements of DUCiv R 83-1.1(d), the motion for Petitioner's admission pro hac vice in the United States District Court, District of Utah in the subject case is GRANTED.

This 28<sup>th</sup> day of May, 2004.

  
U.S. District Judge

Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department

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I, Catherine O'Hagan Wolfe, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

**ROBERT B. SILVER**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on the 14th day of January, 1985 has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my  
hand and affixed the seal of this court on

May 28, 2004

Catherine O'Hagan Wolfe

Clerk

United States District Court  
for the  
District of Utah  
May 28, 2004

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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