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DISTRICT OF UTAH

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AUG 12 2004

U.S. DISTRICT COURT

**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.

**ORDER RE BRIEFING FOR PENDING  
MOTIONS**

**Civil No. 2:03CV0294 DAK**

**Honorable Dale A. Kimball**

**Magistrate Judge Brooke Wells**

Based upon the stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED as follows:

IBM's Reply Memorandum in Support of its Cross-Motion for Partial Summary Judgment its Claim for Declaratory Judgment of Non-Infringement shall be due on August 23, 2004;

SCO's Reply Memorandum in Support of its Motion to Dismiss or Stay Count Ten of IBM's Second Amended Counterclaims Against SCO shall be due on August 23, 2004;

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SCO's Reply Memorandum in Support of its Renewed Motion to Compel shall be due on August 26, 2004;

SCO's Memorandum in Opposition to IBM's Motion to Strike the Declaration of Christopher Sontag shall be due on August 26, 2004; and

IBM's Reply Memorandum in Support of its Motion to Strike the Declaration of Christopher Sontag shall be due on September 7, 2004.

DATED this 13<sup>th</sup> day of August, 2004.

BY THE COURT:

  
United States District Court

APPROVED AS TO FORM:

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Todd M. Shaughnessy

CRAVATH, SWAINE & MOORE

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Mark F. James

By 

*Counsel for Plaintiff*

United States District Court  
for the  
District of Utah  
August 13, 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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