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DISTRICT OF UTAH

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AUG 13 2004

U.S. DISTRICT COURT

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.

**ORDER GRANTING  
DEFENDANT/COUNTERCLAIM  
PLAINTIFF IBM'S EX PARTE MOTION  
FOR LEAVE TO FILE AN  
OVERLENGTH MEMORANDUM**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

279

Based upon Defendant/Counterclaim-Plaintiff International Business Machines Corporation's ("IBM") Ex Parte Motion for Leave to File Overlength Memorandum in Support of its Motion for Partial Summary Judgment on Breach of Contract Claims, and for good cause appearing thereon,

IT IS HEREBY ORDERED that IBM may file its overlength Memorandum in Support of its Motion for Partial Summary Judgment on Breach of Contract Claims, not to exceed thirty pages of argument.

DATED this 16<sup>th</sup> day of August, 2004.

**BY THE COURT**

  
**Honorable Dale A. Kimball**  
**U.S. District Court Judge**

**CERTIFICATE OF SERVICE**

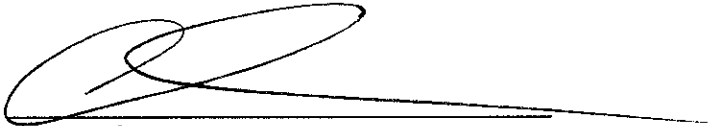
I hereby certify that on the 3<sup>rd</sup> day of August, 2004, a true and correct copy of the foregoing was hand delivered to the following:

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United States District Court  
for the  
District of Utah  
August 17, 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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