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*Attorneys for The SCO Group, Inc.*

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

**SCO'S EX PARTE EMERGENCY  
MOTION FOR A SCHEDULING  
CONFERENCE**

Case No. 2:03CV0294DAK  
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

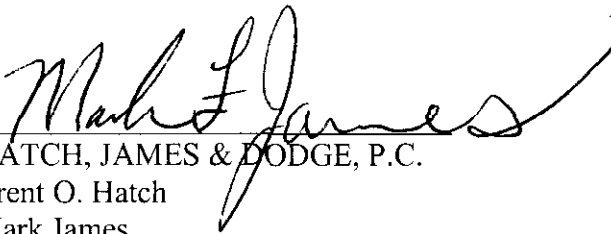
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SCO respectfully files this ex parte motion for a case management conference at the Court's earliest possible convenience to address an emergency that was injected into this case late last week. SCO requests that the Court set a scheduling conference at its earliest convenience, so that the Court can assist the parties in reaching a reasonable solution to the discovery problems in this case. SCO will be prepared to address these issues at the hearing currently scheduled before the Court on September 15.

A supporting memorandum is filed concurrently herewith.

DATED this 13th day of September, 2004.

  
HATCH, JAMES & DODGE, P.C.  
Brent O. Hatch  
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**CERTIFICATE OF SERVICE**

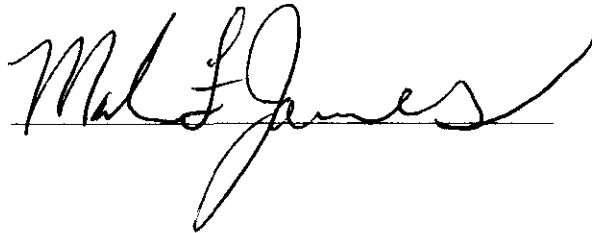
I HEREBY CERTIFY that I caused a true and correct copy of the foregoing SCO'S EX PARTE EMERGENCY MOTION FOR A SCHEDULING CONFERENCE to be hand-delivered this 13th day of September, 2004, to the following:

Alan L. Sullivan, Esq.  
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mailed by U.S. Mail, first class postage prepaid, to the following:

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A handwritten signature in black ink, appearing to read "Mark L. James", written over a horizontal line.