


FILED
CLERK, U.S. DISTRICT COURT

2004 OCT 27 P 2:09

DISTRICT OF UTAH

BY: 
DEPUTY CLERK

SNELL & WILMER L.L.P.
Alan L. Sullivan (3152)
Todd M. Shaughnessy (6651)
Amy F. Sorenson (8947)
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101-1004
Telephone: (801) 257-1900
Facsimile: (801) 257-1800

CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler (admitted pro hac vice)
David R. Marriott (7572)
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
Telephone: (212) 474-1000

*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,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**STIPULATION RE BRIEFING ON SCO'S
MOTION FOR LEAVE TO FILE A THIRD
AMENDED COMPLAINT**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

329

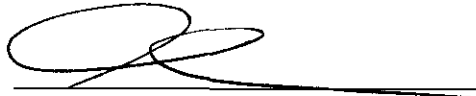
The parties, through their counsel of record, hereby stipulate and jointly move the Court for an Order amending the deadlines for briefing as follows:

- (a) IBM's Memorandum in Opposition to SCO's Motion for Leave to File a Third Amended Complaint Pursuant to Federal Rules of Civil Procedure 15(a) and 16(b) shall be due on November 23, 2004; and
- (b) SCO's Reply Memorandum in Support of its Motion for Leave to File a Third Amended Complaint Pursuant to Federal Rules of Civil Procedure 15(a) and 16(b) shall be due on December 21, 2004.

The parties submit herewith a proposed Order confirming these deadlines.

DATED this 21st day of October, 2004.

SNELL & WILMER L.L.P.



Alan L. Sullivan
Todd M. Shaughnessy
Amy F. Sorenson

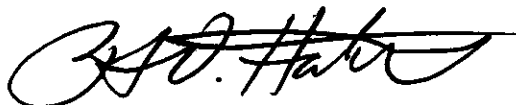
CRAVATH, SWAINE & MOORE LLP

Evan R. Chesler
David R. Marriott

*Attorneys for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

DATED this 21st day of October, 2004.

HATCH, JAMES & DODGE, P.C.



Brent O. Hatch
Mark F. James

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

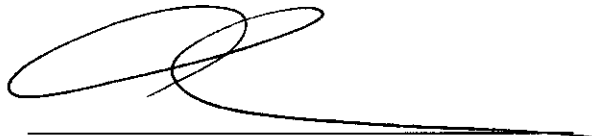
I hereby certify that on the 21st day of October, 2004, a true and correct copy of the foregoing was hand delivered to the following:

Brent O. Hatch
Mark F. James
HATCH, JAMES & DODGE, P.C.
10 West Broadway, Suite 400
Salt Lake City, Utah 84101

and was sent by U.S. Mail, postage prepaid, to the following:

Stephen N. Zack
Mark J. Heise
BOIES, SCHILLER & FLEXNER LLP
100 Southeast Second Street, Suite 2800
Miami, Florida 33131

Robert Silver
Edward Normand
Sean Eskovitz
BOIES, SCHILLER & FLEXNER LLP
333 Main Street
Armonk, New York 10504



Amy F. Sorenson