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DISTRICT OF UTAH

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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

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U.S. DISTRICT COURT

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.

**ORDER 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

330

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

IT IS HEREBY ORDERED 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.

DATED this 17th day of October, 2004.

BY THE COURT:


DALE A. KIMBALL
U.S. DISTRICT COURT JUDGE

APPROVED AS TO FORM:

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

United States District Court
for the
District of Utah
October 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:

Brent O. Hatch, Esq.
HATCH JAMES & DODGE
10 W BROADWAY STE 400
SALT LAKE CITY, UT 84101
EMAIL

Scott E. Gant, Esq.
BOIES SCHILLER & FLEXNER
5301 WISCONSIN AVE NW
WASHINGTON, DC 20015

Frederick S. Frei, Esq.
ANDREWS KURTH
1701 PENNSYLVANIA AVE NW STE 300
WASHINGTON, DC 20006

Evan R. Chesler, Esq.
CRAVATH SWAINE & MOORE
825 EIGHTH AVE
NEW YORK, NY 10019
EMAIL

Mr. Alan L Sullivan, Esq.
SNELL & WILMER LLP
15 W SOUTH TEMPLE STE 1200
GATEWAY TOWER W
SALT LAKE CITY, UT 84101
EMAIL

Todd M. Shaughnessy, Esq.
SNELL & WILMER LLP
15 W SOUTH TEMPLE STE 1200
GATEWAY TOWER W
SALT LAKE CITY, UT 84101
EMAIL

Mark J. Heise, Esq.
BOIES SCHILLER & FLEXNER
100 SE 2ND ST STE 2800
MIAMI, FL 33131

EMAIL

Mr. Kevin P McBride, Esq.
1299 OCEAN AVE STE 900
SANTA MONICA, CA 90401
EMAIL

Robert Silver, Esq.
BOIES SCHILLER & FLEXNER
333 MAIN ST
ARMONK, NY 10504

Mr. David W Scofield, Esq.
PETERS SCOFIELD PRICE
340 BROADWAY CENTRE
111 E BROADWAY
SALT LAKE CITY, UT 84111
EMAIL