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U.S. DISTRICT COURT
DISTRICT OF UTAH


Michael P. O'Brien (USB #4894)
Andrew H. Stone (USB #4921)
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Attorneys for G2 Computer Intelligence, Inc.

IN THE UNITED STATES DISTRICT COURT

STATE OF UTAH, CENTRAL DIVISION

THE SCO GROUP, INC., a Delaware corporation,	:	MOTION TO INTERVENE AND MOTION TO UNSEAL COURT'S FILE
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
INTERNATIONAL BUSINESS MACHINES CORPORATION, a New York corporation,	:	Civil No. 03CV0294
	:	
Defendant.	:	Judge Dale A. Kimball Magistrate Judge Brooke C. Wells

G2 Computer Intelligence, Inc. ("G2") by and through its counsel hereby moves the Court for an order granting it leave to intervene in this matter for the limited purpose of seeking an order:

- (1) unsealing each of the sealed documents filed or exchanged with the Court in this matter unless the parties demonstrate that the release of such documents would cause them specific competitive injury;
- and (2) modifying the *Protective Order* in this action to require that a party seeking to file a document with the Court under seal first make a showing that public access to that document or portion thereof would cause that party specific competitive injury.

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G2's Motion to Intervene is made pursuant to Federal Rule of Civil Procedure 24(b). G2's request to vacate or modify the *Protective Order* and to unseal Court records is made pursuant to the First Amendment to the United States Constitution's (" First Amendment"), the Federal Common Law, and Federal Rules of Civil Procedure 5(d) and 26(c). This motion is based upon the supporting memorandum's points and authorities, all pleadings and papers on file in this matter, and upon any other matters that may be presented to the Court at or before the time of the hearing. G2 requests that it be permitted to intervene, and that the stipulated *Protective Order* entered into this action on September 16, 2003, and all amendments thereto, be vacated or modified to permit public disclosure of the Court's records which have been sealed in this matter and ensure that no other Court documents are withheld from the public or filed under seal in the absence of a showing sufficient to satisfy the applicable legal standards.

Dated this 30th day of November, 2004.

JONES WALDO HOLBROOK & McDONOUGH PC

By:  

Michael P. O'Brien
Andrew H. Stone
Attorneys for G2 Computer Intelligence, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of November, 2004, I caused a true and correct copy of the foregoing to be mailed, postage prepaid, to the following:

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A handwritten signature in black ink, appearing to read "DR", is written over a solid horizontal line.