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U.S. DISTRICT COURT
DISTRICT OF UTAH

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**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.

**IBM'S EX PARTE MOTION FOR
EXTENSION OF TIME TO FILE
MEMORANDUM IN RESPONSE TO G2
COMPUTER INTELLIGENCE, INC'S
MOTION TO INTERVENE AND MOTION
TO UNSEAL COURT'S FILE**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

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International Business Machines Corporation (“IBM”) respectfully moves the Court for a 30-day extension of time in which to respond to G2 Computer Intelligence, Inc.’s (“G2”) Motion to Intervene and Motion to Unseal Court’s File (Docket No. 340-1) (the “Motion”). IBM seeks to move the deadline from December 20, 2004 until January 20, 2005.

G2’s Motion seeks to unseal all documents in this case, including those attached to the summary judgment motions now in the process of being briefed. IBM’s reply memoranda supporting its motions for summary judgment are currently due on January 14, 2005. IBM would like to be able to address all documents attached in summary judgment briefing at once, not in piecemeal fashion. Counsel for IBM contacted counsel for G2 to request a 30-day extension based on these concerns as well as on the holiday schedule, but G2 would only agree to grant an extension until January 7, 2005, well short of the 30 days requested. G2’s offer does not address IBM’s desire to address all relevant documents at once.

Based on the foregoing, IBM respectfully requests that the Court extend the deadline to respond to G2’s motion 30 days until January 19, 2005.

DATED this 20th day of December, 2004.

SNELL & WILMER L.L.P.



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CERTIFICATE OF SERVICE

I hereby certify that on the ___ day of December, 2004, a true and correct copy of the foregoing was delivered by hand to the following:

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