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, New York 10019

Telephone: (212) 474-1000

Facsimile: (212) 474-3700

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.

[PROPOSED] ORDER RE REQUESTS FOR **ADMISSION** 

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

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

IT IS HEREBY ORDERED that the parties shall have an extension of time, to and including June 2, 2006, within which to respond to all outstanding Requests for Admission.

DATED this day of May, 2006.

BY THE COURT

Brooke C. Wells Magistrate Judge

## APPROVED AS TO FORM:

HATCH, JAMES & DODGE, P.C. Brent O. Hatch Mark F. James

BOIES, SCHILLER & FLEXNER LLP **Edward Normand** 

/s/ Edward Normand

Counsel for Plaintiff (e-filed with authorization from counsel)

394420.1 2

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 1st day of May, 2006, a true and correct copy of the foregoing was sent by U.S. Mail, postage prepaid, to the following:

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

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

Robert Silver **Edward Normand** BOIES, SCHILLER & FLEXNER LLP 333 Main Street Armonk, NY 10504

/s/ Todd M. Shaughnessy

394420.1 3