Brent O. Hatch (5715) Mark F. James (5295) HATCH, JAMES & DODGE 10 West Broadway, Suite 400 Salt Lake City, Utah 84101 Telephone: (801) 363-6363 Facsimile: (801) 363-6666

Stuart H. Singer (admitted pro hac vice) BOIES, SCHILLER & FLEXNER LLP 401 East Las Olas Boulevard – Suite 1200 Ft. Lauderdale, Florida 33301

Telephone: (954) 356-0011 Facsimile: (954) 356-0022

Attorneys for The SCO Group, Inc.

Robert Silver (admitted pro hac vice) Edward Normand (admitted pro hac vice) BOIES, SCHILLER & FLEXNER LLP 333 Main Street

Armonk, New York 10504 Telephone: (914) 749-8200 Facsimile: (914) 749-8300

Stephen N. Zack (admitted pro hac vice) BOIES, SCHILLER & FLEXNER LLP Bank of America Tower – Suite 2800

100 Southeast Second Street Miami, Florida 33131 Telephone: (305) 539-8400 Facsimile: (305) 539-1307

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.

EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH **OBJECTIONS TO ORDER** GRANTING IN PART IBM'S MOTION TO LIMIT SCO'S CLAIMS

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball Magistrate Judge Brooke C. Wells

Plaintiff/Counterclaim-Defendant The SCO Group ("SCO") hereby moves the Court pursuant to District Court Rule 7-1(e) for an Order granting it leave to file its Objections to

Order Granting In Part IBM's Motion to Limit SCO's Claims (the "Objections") that consists of 53 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

SCO's Motion is made upon the grounds that the Objections of the indicated length is necessary given the complex nature of the issues raised by Judge Wells' Order to which the Objections are raised.

SCO has endeavored to be as concise as possible, but respectfully submits that the excess length is necessary to fully and fairly address the issues being placed before the Court.

SCO respectfully requests that it be allowed to file its Objections containing 53 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED this the 13th day of July, 2006.

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

BOIES, SCHILLER & FLEXNER LLP Robert Silver Stuart H. Singer Stephen N. Zack **Edward Normand**

By: /s/ Brent O. Hatch

Counsel for The SCO Group, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of July, 2006, I caused to be served a true and correct copy of the foregoing EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH OBJECTIONS TO ORDER GRANTING IN PART IBM'S MOTION TO LIMIT SCO'S CLAIMS by CM/ECF to the following:

David Marriott, Esq. Cravath, Swaine & Moore LLP Worldwide Plaza 825 Eighth Avenue New York, New York 10019

Todd Shaughnessy, Esq. Snell & Wilmer LLP 1200 Gateway Tower West 15 West South Temple Salt Lake City, Utah 84101-1004

Donald J. Rosenberg, Esq. 1133 Westchester Avenue White Plains, New York 10604

| <u>/s/</u> | Brent | <u>O.</u> | Hatch | • |
|------------|-------|-----------|-------|---|
| | | | | |