

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.

**ORDER GRANTING IBM'S EX PARTE  
MOTION FOR LEAVE TO FILE  
OVERLENGTH MEMORANDUM IN  
OPPOSITION TO SCO'S OBJECTIONS  
TO MAGISTRATE JUDGE WELLS'  
ORDER OF JUNE 28, 2006**

Civil No. 2:03-CV-00294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon Defendant/Counterclaim-Plaintiff International Business Machines Corporation's ("IBM") Ex Parte Motion for Leave to File Overlength Memorandum in Opposition to SCO's Objections to Magistrate Judge Wells' Order of June 28, 2006, and for good cause appearing thereon,

IT IS HEREBY ORDERED that IBM may file its overlength Memorandum in Opposition to SCO's Objections to Magistrate Judge Wells' Order of June 28, 2006, not to exceed 55 pages of argument, exclusive of face sheet, table of contents and authorities, preliminary and fact statements, and appendices and exhibits.

DATED this 15<sup>th</sup> day of August, 2006.

BY THE COURT

A handwritten signature in black ink that reads "Dale A. Kimball". The signature is written in a cursive style with a horizontal line underneath the name.

U.S. District Court Judge  
Dale A. Kimball