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U.S. DISTRICT COURT

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Brent O. Hatch (5715)  
Mark F. James (5295)  
HATCH, JAMES & DODGE, PC  
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.

**[PROPOSED] ORDER GRANTING EX  
PARTE MOTION FOR LEAVE  
TO FILE OVERLENGTH REPLY  
MEMORANDUM IN SUPPORT OF  
SCO'S OBJECTIONS TO  
MAGISTRATE JUDGE WELLS'  
ORDER OF JUNE 28, 2006**

Case No. 2:03CV0294DAK

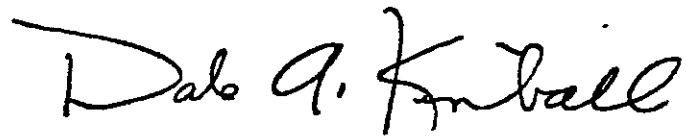
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-  
Defendant The SCO Group ("SCO") for Leave to File Overlength Reply Memorandum in

Support of SCO's Objections to Magistrate Judge Wells' Order of June 28, 2006. The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and here ORDERS that SCO be granted leave to file its Overlength Reply Memorandum consisting of 50 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED: September 7, 2006.

BY THE COURT:

A handwritten signature in cursive script that reads "Dale A. Kimball". The signature is written in black ink and is positioned above a horizontal line.

Honorable Dale A. Kimball

**CERTIFICATE OF SERVICE**

I hereby certify that on the 5<sup>th</sup> day of September, 2006, I caused to be served a true and correct copy of the foregoing [PROPOSED] ORDER GRANTING EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH REPLY MEMORANDUM IN SUPPORT OF SCO'S OBJECTIONS TO MAGISTRATE JUDGE WELLS' ORDER OF JUNE 28, 2006 by CM/ECF or U.S. Mail, postage prepaid, 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

/s/ Brent O. Hatch \_\_\_\_\_