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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.

[PROPOSED] **ORDER GRANTING IBM'S MOTION** FOR LEAVE TO FILE ADDITIONAL **DECLARATIONS IN SUPPORT OF** MOTIONS FOR SUMMARY JUDGMENT

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon Defendant/Counterclaim-Plaintiff International Business Machines Corporation's ("IBM") Motion for Leave to File Additional Declarations in Support of its Motions for Summary Judgment, and for good cause appearing thereon,

IT IS HEREBY ORDERED that IBM may file up to three additional declarations in support of IBM's motions for summary judgment by no later than September 29, 2006.

DATED this \_\_\_\_ day of September, 2006.

BY THE COURT

Dale A. Kimball United States District Court Judge

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of September, 2006, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

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

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