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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.

STIPULATION AND JOINT MOTION FOR EXTENSION OF TIME

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

The parties, through their counsel of record, hereby stipulate and jointly move the Court for an Order enlarging deadlines as follows:

Both parties' memoranda in opposition to the pending motions for summary judgment, currently due October 25, 2006, shall be due no later than November 1, 2006;

IBM's memorandum in opposition to SCO's motion for relief re spoliation, currently due October 25, 2006, shall be due no later than November 1, 2006;

Both parties' reply memoranda in support of the pending motions for summary judgment, currently due November 24, 2006, shall be due no later than December 8, 2006;

SCO's reply memorandum in support of its motion for relief re spoliation shall be due no later than November 24, 2006; and

Both parties' response to all outstanding requests for admission shall be due no later than November 8, 2006.

The parties stipulate that they will not seek any further extensions of the deadline for memoranda in opposition to the pending summary judgment motions. The parties submit concurrently herewith a proposed Order confirming these deadlines.

DATED this 18th day of October, 2006.

SNELL & WILMER L.L.P. Alan L. Sullivan Todd M. Shaughnessy Amy F. Sorenson

CRAVATH, SWAINE & MOORE Evan R. Chesler David R. Marriott

By____/s/ Todd M. Shaughnessy Counsel for Defendant International Business Machines Corporation DATED this 18th day of October, 2006.

HATCH, JAMES & DODGE, P.C. Brent O. Hatch Mark F. James BOIES, SCHILLER & FLEXNER LLP Edward Normand

By___/s/ Edward Normand Counsel for Plaintiff (e-filed with authorization from counsel)

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of October, 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:

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

/s/ Todd M. Shaughnessy