

# **Exhibit A**

**TO**

**IBM'S OPPOSITION TO SCO'S MOTION  
FOR AN EXTENSION OF TIME AND  
CROSS-MOTION FOR EXTENSION OF TIME**

**Shaughnessy, Todd**

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**From:** Shaughnessy, Todd  
**Sent:** Wednesday, November 01, 2006 9:16 AM  
**To:** 'Sashi Bach Boruchow'; David Marriott  
**Cc:** Ted Normand  
**Subject:** RE: stipulation and proposed order re extension

Sashi,  
These look fine, though I think the title of each needs to be changed -- the stip and order address more than just opp'ns to SJ motions. Subject to that, you can attach my name and e-file.

Todd

Snell & Wilmer L.L.P.  
15 West South Temple, Suite 1200  
Salt Lake City, Utah 84101  
801.257.1937 (direct)  
801.257.1900 (general)  
801.257.1800 (fax)

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-----Original Message-----

**From:** Sashi Bach Boruchow [mailto:sbach@BSFLLP.com]  
**Sent:** Tuesday, October 31, 2006 3:04 PM  
**To:** David Marriott; Shaughnessy, Todd  
**Cc:** Ted Normand  
**Subject:** RE: stipulation and proposed order re extension

Attached please find the revised stipulation and proposed order. Please let me know if you agree.

Thanks,  
Sashi

Sashi Bach Boruchow, Esq.  
BOIES, SCHILLER & FLEXNER LLP  
401 East Las Olas Blvd., Suite 1200  
Fort Lauderdale, FL 33301  
Phone: 954-356-0011 ext. 118  
Alt. Phone: 404-634-3763  
Cell Phone: 305-336-3934  
Fax: 954-356-0022  
<http://www.bsflp.com>

\*\*\*\*\*  
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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

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

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  
Facsimile: (305) 539-1307  
*Attorneys for The SCO Group, Inc.*

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

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

<p>THE SCO GROUP,  Plaintiff/Counterclaim-Defendant</p> <p>v.</p> <p>INTERNATIONAL BUSINESS MACHINES CORPORATION,  Defendant/Counterclaim-Plaintiff</p>	<p><b>STIPULATION AND JOINT MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO SUMMARY JUDGMENT MOTIONS</b></p> <p>Case No. 2:03CV0294DAK Honorable Dale A. Kimball Magistrate Judge Brooke C. Wells</p>
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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 November 1, 2006, shall be due no later than November 8, 2006.

Both parties' response to all outstanding requests for admission, currently due November 8, 2006, shall be due no later than November 15, 2006.

IBM's memorandum in opposition to SCO's motion for relief regarding spoliation, currently due November 1, 2006, shall be due no later than November 8, 2006.

SCO's reply memorandum in support of its motion for relief regarding spoliation, currently due November 24, 2006, shall be due no later than December 1, 2006.

Both parties' reply memoranda in support of their motions for summary judgment, currently due December 8, 2006, shall be due no later than December 15, 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 25<sup>th</sup> day of October, 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  
Sean Eskovitz

By \_\_\_\_\_  
*Counsel for The SCO Group, Inc.*

DATED this 25<sup>th</sup> 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 \_\_\_\_\_  
*Counsel for Defendant International  
Business Machines Corporation*

**CERTIFICATE OF SERVICE**

Plaintiff/Counterclaim Defendant, The SCO Group, Inc., hereby certifies that on the 25<sup>th</sup> day of October, 2006, a true and correct copy of the foregoing Stipulation and Joint Motion for Extension of Time was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the, to the following:

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

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

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

By \_\_\_\_\_

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

Robert Silver (admitted pro hac vice)  
Edward Normand (admitted pro hac vice)  
Sean Eskovitz (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300

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

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

*Attorneys for The SCO Group, Inc.*

**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 RE EXTENSION OF  
DEADLINE FOR OPPOSITION TO  
SUMMARY JUDGMENT MOTIONS**

Case No. 2:03CV0294DAK  
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

Based upon the stipulation of the parties, and good cause appearing,

**IT IS HEREBY ORDERED** that the parties shall have an extension of time as follows:



Both parties' memoranda in opposition to the pending motions for summary judgment, currently due November 1, 2006, shall be due no later than November 8, 2006.

Both parties' response to all outstanding requests for admission, currently due November 8, 2006, shall be due no later than November 15, 2006.

IBM's memorandum in opposition to SCO's motion for relief regarding spoliation, currently due November 1, 2006, shall be due no later than November 8, 2006.

SCO's reply memorandum in support of its motion for relief regarding spoliation, currently due November 24, 2006, shall be due no later than December 1, 2006.

Both parties' reply memoranda in support of their motions for summary judgment, currently due December 8, 2006, shall be due no later than December 15, 2006.

The parties will not seek any further extensions of the deadline for memoranda in opposition to the pending summary judgment motions.

IT IS SO ORDERED

DATED this \_\_\_\_ day of \_\_\_\_\_

---

DALE A. KIMBALL  
UNITED STATES DISTRICT JUDGE