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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.

**EX PARTE MOTION FOR LEAVE
TO FILE SCO'S OVERLENGTH
REPLY MEMORANDUM IN
FURTHER SUPPORT OF ITS
MOTION FOR PARTIAL SUMMARY
JUDGMENT ON SCO'S THIRD
CAUSE OF ACTION, FOR BREACH
OF CONTRACT**

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) hereby moves the Court pursuant to District Court Rule 7-1(e) for an Order granting SCO leave to file its over length

Reply Memorandum in Further Support of its Motion for Partial Summary Judgment on SCO's Third Cause of Action, for Breach of Contract (the "Reply Memorandum") that consists of 25 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

SCO's Motion is made upon the grounds that the Reply Memorandum of the indicated length is necessary given the complex nature of the issues raised by the IBM's Opposition to the indicated Motion for Summary Judgment.

SCO has endeavored to be as concise as possible, but respectfully submits that the excess length is necessary to fully and fairly address the issues being placed before the Court.

SCO respectfully requests that it be allowed to file its Reply Memorandum containing 25 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED this the 12th day of January, 2007.

HATCH, JAMES & DODGE, P.C.
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By: /s/ Brent O. Hatch
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