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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.

**ORDER DENYING SCO'S MOTION FOR  
RELIEF RE SPOLIATION**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

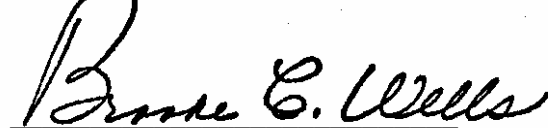
Magistrate Judge Brooke C. Wells

Plaintiff and Counterclaim-Defendant The SCO Group, Inc.'s ("SCO's") Motion for Relief for IBM's Spoliation of Evidence came before the Court for hearing on January 18, 2007. Mark James appeared for SCO. Todd Shaughnessy appeared for Defendant and Counterclaim-Plaintiff International Business Machines Corporation ("IBM"). The Court, having considered both parties' papers, having heard argument of counsel, and for good cause appearing,

IT IS HEREBY ORDERED that SCO's motion is denied for the reasons set forth by the Court at the hearing held on January 18, 2007.

DATED this 2nd day of March, 2007.

BY THE COURT



Brooke C. Wells  
Magistrate Judge

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