

---

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

---

**THE SCO GROUP, INC., by and through  
the Chapter 7 Trustee in Bankruptcy,  
Edward N. Cahn,**

**Plaintiff/Counterclaim-Defendant,**

**v.**

**INTERNATIONAL BUSINESS  
MACHINES CORPORATION,**

**Defendant/Counterclaim-Plaintiff.**

**ORDER REGARDING SETTLEMENT  
CONFERENCE REFERRAL**

**Case No. 2:03cv294**

**Chief District Judge David Nuffer**

**Magistrate Judge Paul M. Warner**

---

Chief District Judge David Nuffer referred this case to Magistrate Judge Paul M. Warner for a settlement conference pursuant to 28 U.S.C. § 636(b)(1).<sup>1</sup> The court has consulted with all parties to explore their respective interest in meeting for a settlement conference and the appropriate timing for such a conference. While the court is certainly willing to assist the parties in moving toward settlement, not all parties amenable to a settlement conference at this time. Accordingly, the success of reaching a settlement at this time is highly unlikely, even if a settlement conference was ordered. That said, a settlement conference may well be useful to the parties after resolution of the pending dispositive motions, and this court remains available to help facilitate settlement at that time, if the parties mutually agree that a settlement conference would be useful. Of course, should the parties' positions change prior to resolution of the

---

<sup>1</sup> See docket no. 1154.

dispositive motions, they may contact the court. A settlement conference may then be arranged at a mutually convenient time.

DATED this 7th day of July, 2015.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Paul M. Warner".

---

PAUL M. WARNER  
United States Magistrate Judge