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DISTRIBT OF UTAH

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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

THE SCO GROUP, INC.))
Plaintiff,)) PLAINTIFF SCO'S MOTION TO) AMEND THE SCHEDULING ORDER
v.	
INTERNATIONAL BUSINESS	<i>'</i>
MACHINES CORPORATION,) Case No. 2:03CV0294DAK
Defendant.) Judge Dale A. Kimball) Magistrate Judge Brooke C. Wells)

Plaintiff The SCO Group, Inc. ("SCO"), hereby moves this Court for an order amending the Scheduling Order in this matter. The grounds for this Motion are as follows:

Pursuant to Federal Rule of Civil Procedure 16(b), SCO has moved to amend the Scheduling Order to extend certain deadlines in this case. Good cause exists to grant SCO's Motion because: (1) after the Scheduling Order was entered, IBM filed 10 counterclaims, including several claims for patent infringement; (2) discovery in this case was effectively stayed for four months; and (3) IBM's untimely responses to discovery have hindered orderly prosecution of the case.

This Motion is supported by a Memorandum in Support filed concurrently herewith.

DATED this 5th day of April, 2004.

Respectfully submitted,

By:

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch Mark F. James

BOIES, SCHILLER & FLEXNER, L.L.P.

Stephen N. Zack

Mark J. Heise

David K. Markarian

CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, Inc. hereby certifies that a true and correct copy of

PLAINTIFF'S MOTION TO AMEND THE SCHEDULING ORDER was served on

Defendant International Business Machines Corporation on this 5th day of April, 2004, by U.S.

Mail, first class, postage prepaid, on their counsel of record as indicated below:

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