

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

FILED
23 JUN 04 10:54
DISTRICT COURT
BY: _____

THE SCO GROUP, INC.

Plaintiff/Counterclaim-
Defendant,

vs.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-
Plaintiff.

ORDER

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Plaintiff The SCO Group, Inc. ("SCO") through its attorney Brent O. Hatch of the law firm Hatch, James & Dodge and Defendant International Business Machines Corporation ("IBM") through its attorney Todd Shaughnessy of the law firm Snell & Wilmer appeared before the Court on June 8, 2004, in a telephonic hearing. The Court having heard the arguments of counsel, considered all other relevant matters of record, and for good cause appearing,

HEREBY ORDERS as follows:

Any affidavit or declaration intended to be used at a deposition is to be produced to the opposing party at least forty-eight hours prior to the beginning of the deposition, or such affidavit or declaration shall not be used at the deposition.

184

SO ORDERED this 22 day of June, 2004.

BY THE COURT:



Honorable Brooke C. Wells
United States Magistrate Judge

APPROVED AS TO FORM:

By:



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United States District Court
for the
District of Utah
June 23, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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