

2005 APR 13 P 5:11

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION: _____
DEPUTY CLERK

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-
Defendant,

vs.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-
Plaintiff.

ORDER REGARDING
APRIL 21, 2005 HEARING

Case No. 2:03CV294 DAK

This matter is before the court on Plaintiff/Counterclaim-Defendant The SCO Group, Inc.'s ("SCO") Ex Parte Motion to Adjourn the April 21, 2005 Argument on SCO's Motion to Amend Its Complaint. The court has carefully considered the memoranda and other materials submitted by the parties. Now being fully advised, the court renders the following Order.

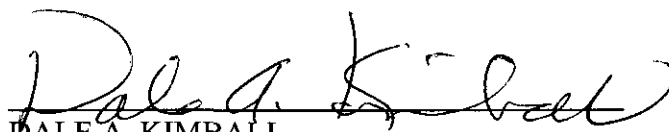
The court declines to adjourn the hearing. Accordingly, IT IS HEREBY ORDERED that SCO's Ex Parte Motion to Adjourn the April 21, 2005 Argument on SCO's Motion to Amend Its Complaint is DENIED. In addition to hearing SCO's Motion to Amend Its Complaint and SCO's Motion to Compel the Deposition of Samuel Palmisano at the April 21, 2005 hearing, the parties are hereby NOTIFIED that the court will also hear argument regarding the parties'

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Proposed Scheduling Orders.

DATED this 13th day of April, 2005.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", written over a horizontal line.

DALE A. KIMBALL
United States District Judge

United States District Court
for the
District of Utah
April 14, 2005

* * 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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