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*Attorneys for The SCO Group, Inc.*

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

<p>THE SCO GROUP, INC.,</p> <p>Plaintiff/Counterclaim-Defendant,</p>	<p><b>SCO'S MOTION FOR LEAVE TO FILE DECLARATION OF MARC ROCHKIND</b></p>
<p>v.</p>	<p>Case No. 2:03CV0294DAK Honorable Dale A. Kimball Magistrate Judge Brooke C. Wells</p>
<p>INTERNATIONAL BUSINESS MACHINES CORPORATION,</p> <p>Defendant/Counterclaim-Plaintiff.</p>	

Plaintiff, The SCO Group, Inc. ("SCO"), respectfully moves for leave to file the Declaration of Marc Rochkind in opposition to IBM's Reply Memorandum in Further Support of its Motion to Limit SCO's Claims Relating to Allegedly Misused Material.

SCO's Motion arises out of IBM's Motion to Limit SCO's Claims, filed on February 13, 2006. Considering that IBM had not relied on any proposed expert testimony in support of that Motion, SCO did not submit any expert testimony with its Opposition Memorandum, filed on March 7, 2006. In support of its Reply Memorandum dated April 4, 2006, however, IBM submitted the Declaration of proposed expert Randall Davis. Accordingly, SCO seeks leave to address the issues raised in that Declaration by filing the Declaration of expert Marc Rochkind, and through this Motion gives IBM sufficient notice to consider that declaration in advance of the hearing on IBM's Motion, scheduled for April 14, 2006.

DATED this the 10th day of April, 2006.

Respectfully submitted,

HATCH, JAMES & DODGE, P.C.  
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By   
*Counsel for The SCO Group, Inc.*

**CERTIFICATE OF SERVICE**

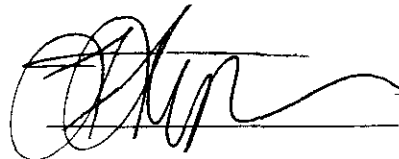
Plaintiff, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing SCO's Motion for Leave to File Declaration of Marc Rochkind was served by mail on Defendant International Business Machines Corporation on the 10th day of April, 2006, by U.S.

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A handwritten signature in black ink, appearing to read 'T. Shaughnessy', is written over a horizontal line. The signature is stylized and cursive.