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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE SCO GROUP, INC.,

Plaintiff,

vs.

AUTOZONE, INC.,

Defendant.


Case No. 2:04-cv-00237-RCJ-GWF

ORDER

This matter is before the Court on the parties' failure to file a proposed Stipulated Discovery Plan and Scheduling Order. The Complaint (#1) in this matter was filed March 3, 2004. This matter has been stayed by order of the Court since August 6, 2004 (#35). The Court conducted a status conference on September 22, 2008. The Court ordered the stay in this case would expire on December 31, 2008, at which time the parties would be required to proceed with the prosecution of this case. It was further ordered that a proposed Discovery Plan and Scheduling Order would be submitted upon expiration of the stay. To date, the parties have not complied. Accordingly,

IT IS HEREBY ORDERED that the parties shall file a stipulated Discovery Plan and Scheduling Order not later than **January 16, 2009** in compliance with the provisions of LR 26-1 of the Rules of Practice of the United States District Court for the District of Nevada.

DATED this 6th day of January, 2009.



GEORGE FOLEY, JR.
United States Magistrate Judge