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January 18, 2005

VIA HAND-DELIVERY

The Honorable Robert C. Jones
U.S. District Judge
U.S. District Court, District of Nevada
333 S. Las Vegas Blvd.
Las Vegas, NV 89101

Re: The SCO Group, Inc. v. AutoZone, Inc., CV-S-04-0237-RCJ-LRL

Dear Judge Jones:

The SCO Group, Inc. ("SCO") respectfully submits this letter pursuant to the Court's Order dated August 6, 2004, to apprise the Court of the status of the following lawsuits. Since our last update on October 29, 2004, the following has transpired:

1. The SCO Group, Inc. v. International Business Machines Corporation, Case No. 2:03CV0294 DAK (D. Utah)

In response to the Court's October 20 Order (which SCO described in our last update), on November 19, IBM filed (under seal) four affidavits, and the parties exchanged privilege logs.

On December 22, SCO filed a Motion to Compel with respect to IBM's failure to fully comply with the Magistrate Judge's October 20 Order, and to compel IBM to produce witnesses to testify on several topics in two Rule 30(b)(6) notices of deposition that SCO had served. (IBM's Memorandum in Opposition is due on February 4.)

SCO has filed Memoranda in Opposition to IBM's Motion for Summary Judgment on Its Eighth Counterclaim and Motion for Summary Judgment on SCO's Contract Claims. (IBM's reply briefs are due on February 25.)

In addition, since October 29, SCO has deposed ten witnesses. The parties have also served additional document requests and noticed more than twenty additional depositions for January and February. On January 12, after IBM refused to produce its Chief Executive Officer for deposition, SCO moved to compel that deposition.

2. The SCO Group, Inc. v. Novell, Inc., Case No. 2:04CV00139 (D. Utah)

Since SCO's last letter to this Court, Novell filed its Reply Memorandum in further support of its second motion to dismiss SCO's claim for slander of title (which motion was described in SCO's last update). The parties are currently scheduled to argue Novell's motion on February 1.

3. Red Hat, Inc. v. The SCO Group, Inc., Case No. 03-772-SLR (D. Del.)

As Your Honor knows, the *Red Hat* Court has stayed that case *sua sponte*. Since our last letter to this Court, the parties in that case have submitted additional 90-day progress reports to the Red Hat Court.

We thank the Court for its courtesies in connection with this matter.

Respectfully submitted,

Stanley W. Parry, Esq.

cc: James Pisanelli, Esq. (via hand-delivery)
David S. Stone, Esq. (via facsimile)