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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE SCO GROUP, INC.)	
a Delaware Corporation)	
)	Civil Action File No.
Plaintiff,)	CV-S-04-0237-RCJ-LRL
v.)	
)	
AUTOZONE, INC.)	
a Nevada Corporation)	
)	
Defendant.)	

**DEFENDANT AUTOZONE, INC.'S RESPONSES TO PLAINTIFF'S
FIRST SET OF INTERROGATORIES AND FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS**

Defendant AutoZone, Inc. ("AutoZone") objects and responds to Plaintiff's First Set of Interrogatories and First Request for Production of Documents (collectively the "Requests") as follows:

individuals' duties and responsibilities as employees or agents of AutoZone. Subject to and without waiving the foregoing objections, AutoZone responds as follows:

- (a) James Greer, Former Senior Technology Advisor at AutoZone, Inc.

Mr. Greer was a senior developer in the IT department at AutoZone. He was the primary developer in charge of the migration from SCO OpenServer to Linux on the AutoZone store machines. Mr. Greer left AutoZone in January, 2002.

- (b) Jon Bascom, Vice President of STS, Customer Satisfaction, AutoZone, Inc.

Mr. Bascom is a Vice President of Information Technology at AutoZone, Inc. and makes many of the daily decisions as to the direction of AutoZone IT, including the migration from SCO OpenServer to Linux.

- (c) Bob Celmer, Senior Technology Advisor, AutoZone, Inc.

Mr. Celmer is a senior developer in the IT department at AutoZone. After Mr. Greer left AutoZone in January, 2002, Mr. Celmer coordinated the final stages of the porting activity from OpenServer to Linux. Mr. Celmer also led the roll-out of the ported applications and Linux installations to the AutoZone domestic stores.

INTERROGATORY NO. 2:

Identify all versions and the source of any Linux-based operating system you are using or have used, including but not limited to the identity and source of the kernel and standard and non-standard additional operating system packages and associated tools.

RESPONSE:

AutoZone objects to Interrogatory No. 2 on the grounds that the phrase "standard and non-standard additional operating system packages and associated tools" is vague and ambiguous.

Subject to and without waiving the foregoing objections, AutoZone states that it has used Red Hat Linux 6.2, and is using Red Hat Linux 7.2 and NeoWare embedded Linux running Linux kernel version 2.2 on computers in AutoZone retail stores.

INTERROGATORY NO. 3:

State whether you or anyone on your behalf or at your direction, copied all, or any part, of the SCO OpenServer operating system or any other Unix-based operating system, or used any part of a SCO OpenServer operating system or any other Unix-based operating system with a Linux-based operating system, including but not limited to any SCO OpenServer or Unix-based software, source code, object code, libraries, and/or programming tools, and identify any aspect of the SCO OpenServer operating system and any other Unix-based operating system that was copied or was used with a Linux-based operating system by you or on your behalf or at your direction.

RESPONSE:

When AutoZone converted from OpenServer to Linux, its goal was to move completely away from the Unix operating system and any use of any Unix-based code or libraries. AutoZone copied two third party applications, "CompX" and "DecompX," from its OpenServer installation onto its Linux installation. Because AutoZone does not have the source code for these programs, it cannot determine whether any OpenServer libraries were compiled with the software or not. AutoZone has not used the CompX or DecompX programs since 2003. In preparing its response to this Interrogatory, AutoZone discovered that a few minor programs that were originally compiled on OpenServer had errantly been copied onto its Linux image, an image that contains approximately 700 programs. Several of these programs are programs for the SCO store support group and programs for the sorting module of the store management system that AutoZone has not used since it converted to Linux. Eight of the programs are still in sporadic use as part of the sorting module for AutoZone's store management system. These sort programs, when compiled under OpenServer, appear to have included certain lines of code from five basic OpenServer static libraries. AutoZone has recompiled the programs in Linux, and AutoZone is now in the process of deleting from its store image all of the OpenServer compiled programs that it no longer uses and replacing the eight

OpenServer compiled sort programs with the Linux compiled versions. AutoZone anticipates that testing and roll-out will be completed within one week.

INTERROGATORY NO. 4:

Identify all persons at AutoZone, Inc. or persons working on its behalf or at its direction who have or who have had access to UNIX source code, including derivative works, modifications, and methods. For each such person, set forth precisely the materials to which such person has or had access.

RESPONSE:

AutoZone objects to Interrogatory No. 4 on the grounds that the terms UNIX "modifications" and UNIX "methods" are vague and ambiguous. Subject to and without waiving the foregoing objections, AutoZone responds that, other than include files, no employee of SCO had access to UNIX source code prior to or during AutoZone's conversion from OpenServer to Linux. Programmers at AutoZone had access to OpenServer include files, but SCO has not alleged infringement of these files. Accordingly, information related to individuals with access to these files is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 5:

Identify all persons who have any information concerning any of the allegations set forth in SCO's Statement of Basis for Claim for Preliminary Injunctive Relief and Nature of Relief, and with respect to each such person, describe the subject(s) of that person's knowledge and state whether you expect to call that person as a witness in the trial of this matter.

RESPONSE:

AutoZone objects to Interrogatory No. 5 on the grounds that it is an improper use of the interrogatory mechanism. The Interrogatory does not identify any particular allegation as to

RESPONSES TO DOCUMENT REQUESTS

REQUEST FOR PRODUCTION NO. 1:

All documents you maintained, prepared, used, or considered in connection with converting from the use of any SCO OpenServer operating system or any other Unix-based operating system to a Linux-based operating system, including but not limited to, changeover or conversion proposals, plans, schedules, calendars, timelines, testing, post-conversion lists of bugs, post-conversion reports, and/or contracts.

RESPONSE:

AutoZone objects to Request No. 1 on the grounds that it is overly broad and unduly burdensome to the extent it requests the production of "all" documents. AutoZone further objects on the grounds that the Request seeks the disclosure of information that is confidential and competitively sensitive. Subject to and without waiving the foregoing objections, and subject to the entry of a suitable protective order, AutoZone will produce documents responsive to Request No. 1.

REQUEST FOR PRODUCTION NO. 2:

Beginning on January 1, 1999 and on a semi-annual basis thereafter until present (i.e., June 30, 2000, December 31, 2000, June 30, 2001, etc.), documents sufficient to establish the identity of each operating system and version, each operating system package and tool, and each application program including its source (source code from which application was compiled), residing on the system image for, and the identity of any other content of, the server system used by AutoZone in its retail stores for its retail operations in the United States.

RESPONSE:

AutoZone objects to Request No. 2 on the grounds that it is overly broad and unduly burdensome. AutoZone further objects on the grounds that the Request seeks the disclosure of information that is confidential and competitively sensitive. AutoZone further objects on the grounds that the Request seeks the production of documents that are neither relevant nor reasonably calculated to lead to the discovery of admissible evidence to the extent it requests documents regarding operating systems or applications not run on AutoZone's store servers. Subject to and without waiving the foregoing objections, AutoZone will produce documents sufficient to establish that AutoZone has used Red Hat Linux 6.2 and 7.2, and AutoZone will produce relevant store server images.

REQUEST FOR PRODUCTION NO. 3:

All documents identified, considered or relied upon in responding to the Plaintiff's First Set of Interrogatories.

RESPONSE:

AutoZone objects to Request No. 3 on the grounds that it calls for the production of information protected by the attorney-client privilege and/or the attorney work product doctrine. AutoZone further objects on the grounds that the Request seeks the disclosure of information that is confidential and competitively sensitive. Subject to and without waiving the foregoing objections, and subject to the entry of a suitable protective order, AutoZone will produce documents responsive to the request.

REQUEST FOR PRODUCTION NO. 4:

All documents concerning communications between you and the Plaintiff.