

1 IN THE UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 _____
4 THE SCO GROUP, INC.,
5 A DELAWARE CORPORATION,

6 Plaintiff,

7 vs.

8 Civil Action File No.
9 CV-S-04-0237-RCJ-LRL

10 AUTOZONE, INC., A NEVADA
11 CORPORATION,

12 Defendant.

13 DEPOSITION

14 OF

15 JIM GREER

16 SEPTEMBER 24, 2004

17 ALPHA REPORTING CORPORATION
18 KORIAN NEAL, RPR, CCR
19 100 North Main Building, The Lobby
20 Memphis, Tennessee 38103
21 (901) 523-8974
22

1 The deposition of JIM GREER is taken on
 2 behalf of the Plaintiff, on this the 24th day of
 3 September, 2004, pursuant to notice and consent of
 4 counsel, beginning at approximately 9:30 a.m. in the
 5 offices of Baker, Donelson, Bearman, Caldwell &
 6 Berkowitz, 165 Madison Avenue, Suite 1800, Memphis,
 7 Tennessee.

8 This deposition is taken pursuant to the
 9 terms and provisions of the Federal Rules of Civil
 10 Procedure.

11 All forms and formalities, including the
 12 signature of the witness, are waived and objections
 13 alone as to matters of competency, relevancy and
 14 materiality of the testimony are reserved, to be
 15 presented and disposed of at or before the hearing.
 16 Objections as to the form of the question must be made
 17 at the taking of the deposition.

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1 format or the ELF file format?

2 A. I don't know. I believe it may use both. I'm
3 not aware of the format that -- the format of Red Hat's
4 applications, for instance.

5 Q. Okay. All right. Now, comes the time when I
6 give you your chance to explain to me what you did. And
7 basically, what I'd like to do is give you an
8 opportunity in your own words to just explain to me how
9 you carried out the migration from where AutoZone was at
10 the point in time when it was running on Open Server
11 software to where the stores were primarily running on a
12 Linux operating system software. And tell me the steps
13 along the way that you were involved in. If you could
14 please do that for me.

15 MR. STEWART: And I'm going to object to
16 the question. And I wouldn't normally clarify my
17 objection in a deposition. But the reason for it is
18 that it assumes the fact that isn't in evidence yet,
19 and that is that this witness was there when the
20 stores were primarily running on Linux.

21 MR. STONE: Okay.

22 MR. STEWART: So what I'd prefer we do is
23 have -- and I don't mind the witness giving a
24 narrative answer -- of just from the beginning of
25 migration to the point he left.

1 Q. And to your knowledge, does that list exist
2 anywhere where we could get our hands on it, so to
3 speak?

4 A. I'm not aware of that list. I don't have a
5 copy of that list. I don't know if it still exists.

6 Q. Did you leave it in your files when you left
7 AutoZone?

8 A. I don't even know the status of the machine
9 that that file would be -- had been present on.

10 Q. Okay. You can continue. I'm sorry.

11 A. Then I solicited help. I requested from the
12 various AutoZone directors that they essentially give me
13 some of their developers, you know, let me use the time
14 and resources of some of their developers as part of
15 this conversion process. So I gathered a list of
16 developers. And for those developers, then, we
17 parcelled out the porting of applications to those
18 developers.

19 I personally worked on porting the libraries that
20 AutoZone had developed internally from SCO to Linux. We
21 also had a couple of third-party libraries for which we
22 had source code. I was also responsible for porting
23 that library and those libraries. And then I also
24 individually worked on porting applications.

25 At some point into the work, I installed Linux on

1 MR. STONE: That's fine.

2 Q. (BY MR. STONE) And then we'll get into the
3 specifics after I sort of have a general overview of how
4 you did it. Okay?

5 A. Okay. Generally, I installed Red Hat Linux on
6 the computer to serve as a compilation or development
7 machine.

8 Q. Is that Wrangler?

9 A. Yes. I called it Wrangler. And then I
10 installed or created user accounts on this computer such
11 that development staff could log into this machine and
12 use it. I then installed some utilities, created
13 utilities such that they could, or one could check out
14 code from the source code repository.

15 Then I produced -- I started producing a list of
16 AutoZone applications and went through several revisions
17 of gathering this list up of all of the executables of
18 things that are actually part of that AutoZone store
19 system. Then I solicited development.

20 Q. Let me just stop you for one second because
21 this is important. So you had a list of the
22 applications?

23 A. I had a list. I began with a large list and
24 began pairing down that list to include active
25 applications, those that were actually in use.

1 another computer and configured it such that it was --
2 had the other hardware and peripherals similar to a
3 AutoZone store system as one might actually find in the
4 store, and arranged it such that the programmers and
5 myself could copy these Linux executables on to the
6 store system and run them to test their porting work.

7 And so the majority of the work then became making
8 modifications to executables to the source code.

9 Q. Executables or applications?

10 A. Well, to the source code, compiling
11 executables and the like, and then testing them and
12 marking off this inventory of applications.

13 Q. And did you have all the source code for every
14 application, or were you missing it for some of the
15 application?

16 A. I was missing it for some.

17 Q. And what did you do when you were missing the
18 source code?

19 A. Well, in some cases, I recreated the
20 application. I was fortunate that AutoZone had some
21 small utility programs for which I could not locate the
22 source, but I knew the behavior of the application so
23 well that I was able to write it from scratch.

24 Q. So did you recompile all these applications
25 that you were porting from open -- I'm sorry. Yeah,

1 that you were porting from Open Server to Linux?

2 A. There were at least a couple that I did not.
3 There were two third-party applications, a compression
4 and decompression utility, for which we did not ever
5 have the source. We had purchased this product. And
6 the company, to my knowledge, had stopped producing that
7 product. So we did not recompile that application,
8 those applications.

9 Q. So what did you do with them? How did you
10 port them?

11 A. They were able to run under Linux operating
12 system.

13 Q. So they didn't use any of the Open Server
14 libraries?

15 A. I don't know.

16 Q. Okay. I'm sorry. You can go on with your
17 narrative, if there was more to it.

18 A. So eventually all of the executables had been
19 compiled. The majority of the activity then was just
20 testing. We went through a period of testing the
21 applications on this test computer inside of AutoZone's
22 headquarters.

23 Then I obtained another computer similar to a store
24 computer, computer that would run in an AutoZone store.
25 I installed Red Hat Linux on the computer. And then I

1 wanted to go further with it?

2 A. Yes. The second -- the migration to the
3 second store of the second store was contingent upon,
4 you know, a period of activity, actually a few weeks of
5 the first store behaving correctly to insure that
6 certain applications and certain situations were
7 encountered.

8 Q. Approximately, when did you do this first
9 installation in the store 315, if you think it's 315?

10 A. I believe it is. Gosh. I don't really know
11 when. That was in -- that would have been in -- I can't
12 really remember. The date's been too long.

13 Q. Let me try this: When did you first begin any
14 kind of work on porting applications from Open Server to
15 Linux, to your best recollection?

16 A. Gosh. Let's see. That was in the 1998/1999
17 time frame.

18 Q. And then when did you leave AutoZone?

19 A. I left AutoZone in early 2002, January of
20 2002.

21 Q. So can you recall whether the work you were
22 doing in this store was in 2001 at some point?

23 A. Well, the actual installation of Linux-based
24 store computers was in 2001, I believe.

25 Q. So you would have been in this Memphis store

1 copied the Linux versions of the AutoZone executables
2 onto the store computer. I carried that computer to an
3 AutoZone store and --

4 Q. Which AutoZone store?

5 A. I believe the first store that I installed was
6 a store here in Memphis. I believe it's Store Number
7 315, which was on Riverdale. And I installed the --
8 installed the computer in the store, waited for the
9 store to perform some task to finish up their daily
10 activity. I copied the data from the store's computer,
11 the existing SCO store computer so the AutoZone data
12 files regarding its inventory and the like to the Linux
13 based computer.

14 I then shut down the SCO computer, connected the
15 peripherals and such to the Linux computer, tested to
16 confirm that the Linux executables and applications were
17 working correctly. And then the next day, I went to
18 observe the performance of the Linux computer in the
19 store.

20 That same manual procedure is what I used then to
21 install, I think, a total of six computers here in the
22 Memphis area and observed their performance and tried to
23 address any defects.

24 Q. Okay. And then what did you do then? Did
25 you -- did it operate sufficiently for you that you

1 315 some time in 2001?

2 A. Yes.

3 Q. Okay. Later on today, I'll show you some of
4 those e-mails, and maybe that will help refresh your
5 recollection.

6 A. Okay.

7 Q. So after you put it in these six stores, what
8 did do you next?

9 A. Largely, I observed their performance. I
10 handled calls from the stores regarding behavior that
11 they -- either problems that they were having or issues,
12 you know, defects that were being revealed. I either
13 directed other programmers or myself to make corrections
14 to the AutoZone source code to correct those defects,
15 and then began, you know, a plan of considering how we
16 were going to migrate additional stores.

17 Q. Was that plan ever written down?

18 A. The plan was written down in terms of an
19 expectation of what a maximum rate of transition might
20 be and also generally in terms of what the larger steps
21 would be, you know, what would one need to perform.

22 Q. And then did you carry out that plan?

23 A. I did not carry out that plan.

24 Q. You left AutoZone?

25 A. Yes.