1	IN THE UNITED STATES DISTRICT COURT
2	FOR THE DISTRICT OF UTAH
3	CENTRAL DIVISION
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6	THE SCO GROUP, INC., a)
7	Delaware corporation,)) Plaintiff
8	Plaintiff,)) vs.) Civil No. 2:03-CV-294DAK
9)
10	INTERNATIONAL BUSINESS) MACHINES CORPORATION, a)
11	New York corporation)) Defendant.
12	Derendant.
13	
14	Status Conference
15	pearas courarence
16	
17	BEFORE THE HONORABLE BROOKE C. WELLS
18	October 31, 2003
19	
20	
21	Transcript of Magnetically Recorded Hearing
22	
23	Geri Jardine ALPHA COURT REPORTING SERVICE
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Appearances of Counsel: For the Plaintiff: HATCH, JAMES & DODGE BY: BRENT O. HATCH Attorney at Law 10 West Broadway, Suite 400 Salt Lake City, Utah 84101 For the Defendant: SNELL & WILMER BY: TODD M. SHAUGHNESSY Attorney at Law 15 West South Temple Gateway Tower West Salt Lake City, Utah 84101

Salt Lake City, Utah, October 31, 2003 PROCEEDINGS

THE COURT: Good morning, gentlemen.

Calling the case of the SCO Group, Inc. versus

International Business Machines Corporation. The

plaintiff in this matter is represented by Mr. Brent

Hatch, who is personally present in court. The

defendant, IBM, is represented by Mr. Shaughn -- or Todd

Shaughnessy.

We're before the Court today at the request of the Court for a status conference. I had received motions to compel or the defendant's motion to compel, and before setting that for formal hearing I wanted the opportunity to speak with counsel. I had the opportunity to do that and invited counsel to come into chambers where we held an informal discussion. As a result of that discussion, I am ordering that we have a status hearing, a formal status hearing, to determine whether a hearing on the motion or motions to compel, reciprocal motions to compel, should be held.

We will set a hearing, a status hearing, for Friday, November 21st at 10:00, and at that time we'll determine whether or not a formal hearing needs to be held. If it does, I am prepared to hold that hearing on Friday, December the 5th, also at 10:00.

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                 Counsel, do either of you wish to supplement
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     on the record anything that I have just said?
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                 MR. SHAUGHNESSY: No, Your Honor.
                 MR. HATCH: Your Honor, I really apologize.
 5
     I just noticed that December 5th is actually
 6
     (inaudible). The best date right around that -- that's
 7
    probably -- does it have to be on a Friday?
 8
                 THE COURT: Not necessarily. We could do it
 9
    either on the 4th or we could go as late as the 8th,
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    but --
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                 MR. HATCH:
                             If it's in that time frame, I
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    think it's not going to matter, as long as it's just not
13
    that (inaudible).
14
                THE COURT: Mr. Shaughnessy.
15
                MR. SHAUGHNESSY: I was going to say, if
16
    it's a choice, we prefer the 4th.
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                THE COURT: Let's keep it on the 5th and at
18
    10:00.
            All right, and in the meantime, good luck.
19
                MR. HATCH: Thank you, Your Honor.
20
    appreciate your time.
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                MR. SHAUGHNESSY:
                                  Thank you, Your Honor.
22
                THE COURT: Thank you.
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             (Whereupon, this matter was concluded.)
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CERTIFICATE STATE OF UTAH SS. COUNTY OF UTAH I, Geri Jardine, do hereby certify that the foregoing transcript was taken down by me stenographically from electronically recorded tapes and thereafter transcribed under my direction. That the foregoing pages contain a true and accurate transcript of the electronically recorded proceedings and was transcribed by me to the best of my ability from the tapes furnished to me. . Geri Jardine