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DISTRICT OF UTAH

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IN THE UNITED STATES DISTRICT COURT

CENTRAL DIVISION, DISTRICT OF UTAH

THE SCO GROUP INC.

Plaintiff,

vs.

INTERNATIONAL BUSINESS MACHINES  
CORP.

Defendant.

: Case No. 2:03cv00294 DK

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ORDER GRANTING  
INTERNATIONAL BUSINESS  
MACHINE'S MOTIONS TO COMPEL  
DISCOVERY AND REQUESTS FOR  
PRODUCTION OF DOCUMENTS

Defendant/Couterclaim-Plaintiff International Business  
Machines Corporation's (IBM's) First and Second Motions to Compel  
Discovery having come before this Court, and the Court having  
read the corresponding memoranda submitted by both parties, and  
having heard oral argument on pertinent matters at a hearing on  
December 5, 2003, hereby enters the following Order

The Court, finding good cause shown, **GRANTS** IBM's First and  
Second Motions to Compel Discovery.

In accordance with the Court's order Plaintiff/Counterclaim-Defendant The SCO Group, Inc. (SCO) is hereby ORDERED:

1. To respond fully and in detail to Interrogatory Nos. 1-9 as stated in IBM's First Set of Interrogatories.

2. To respond fully and in detail to Interrogatory Nos. 12 and 13 as stated in IBM's Second Set of Interrogatories.

3. IBM is to provide SCO a list of requested documents as stated in IBM's First and Second Requests for the Production of Documents and SCO is to produce all requested documents.

4. To identify and state with specificity the source code(s) that SCO is claiming form the basis of their action against IBM. This is to include identification of all Bates numbered documents previously provided.

5. To the extent IBM's requests call for the production of documents or are met by documents SCO has already provided, SCO is to identify with specificity the location of responsive answers including identification of the Bates numbered documents previously provided if applicable.

6. If SCO does not have sufficient information in its possession, custody, or control to specifically answer any of IBM's requests that are the subject of this order, SCO shall provide an affidavit setting forth the full nature of its efforts, by whom they were taken, what further efforts it intends

to utilize in order to comply, and the expected date of compliance.

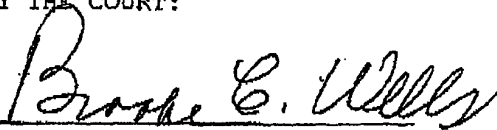
SCO is required to provide such answers and documents within thirty days from the date of this order.

All other discovery, including SCO's Motion to Compel is hereby STAYED until this Court determines that SCO has fully complied with this Order.

The Court will hold a hearing on the forgoing issues January 23, 2004 at 10:00 a.m.

DATED this 12<sup>th</sup> day of December, 2003.

BY THE COURT:

  
BROOKE C. WELLS  
United States Magistrate Judge