


 OAKLAND COUNTY JUDGE RAE LEE CHABOT  
 SCO GROUP INC V DAIMLERCHRYSLER

STATE OF MICHIGAN  
 IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND  
 THE SCO GROUP, INC.,

RECEIVED FOR FILING  
 Plaintiff, OAKLAND COUNTY

vs.

2004 JUN 30 1 P 3 1 Civil Action No. 04-056587-CKB

DAIMLERCHRYSLER CORPORATION, *[Signature]* Honorable Rae Lee Chabot  
 BY DEPUTY COUNTY CLERK  
 Defendant.

Joel H. Serlin (P20224)  
 Barry M. Rosenbaum (P26487)  
 SEYBURN, KAHN, GINN, BESS AND  
 SERLIN, P.C.  
 Attorneys for SCO  
 2000 Town Center, Suite 1500  
 Southfield, MI 48075  
 (248) 353-7620

James P. Feeney (P13335)  
 Thomas S. Bishoff (P53753)  
 Stephen L. Tupper (P53918)  
 DYKEMA GOSSETT PLLC  
 Attorneys for DaimlerChrysler Corporation  
 39577 Woodward Avenue, Suite 300  
 Bloomfield Hills, Michigan 48304-2820  
 (248) 203-0700

**DAIMLERCHRYSLER CORPORATION'S MOTION TO STRIKE CERTAIN  
 PARAGRAPHS OF THE AFFIDAVIT OF WILLIAM BRODERICK**

DaimlerChrysler Corporation ("DCC"), through its counsel, Dykema Gossett PLLC, submits this motion to strike Paragraphs 8, 10-26, 28, 35, 44-45, 56-57, 59 and 62-65 of the Affidavit of William Broderick ("Broderick Affidavit") for failure to comply with MCR 2.119(B)(1) and MCR 2.116(G)(6) because the statements contained therein are not within the personal knowledge of the affiant.

In support of this Motion, DCC relies upon the facts and law set forth in its Memorandum of Law in Support of Motion to Strike Certain Paragraphs of the Affidavit of William Broderick, filed contemporaneously herewith, and its exhibits, the pleadings and other documents on file with the Court, and all matters of which the Court may take judicial notice.

WHEREFORE, Defendant DaimlerChrysler Corporation respectfully requests that this Court grant this Motion and enter an order, pursuant to MCR 2.119(B)(1) and MCR 2.116(G)(6)

*069409*

striking Paragraphs 8, 10-26, 28, 35, 44-45, 56-57, 59 and 62-65 of the Broderick Affidavit from the record.

Dated: June 30, 2004

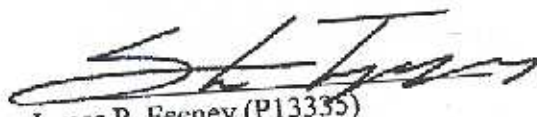
Of counsel

WILMER CUTLER PICKERING  
HALE AND DORR LLP  
Mark G. Matuschak  
Michelle D. Miller  
60 State Street  
Boston, MA 02109  
(617) 526-6000

Robin L. Alperstein  
300 Park Avenue  
New York, NY 10022  
(212) 937-7200

Respectfully Submitted,

DYKEMA GOSSETT PLLC



James P. Feehey (P13335)  
Thomas S. Bishoff (P53753)  
Stephen L. Tupper (P53918)

39577 Woodward Avenue, Suite 300  
Bloomfield Hills, MI 48304-2820  
(348) 203-0700  
Attorneys for Defendant  
DaimlerChrysler Corporation

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing  
in the case of the undersigned is record  
of the proceedings on the 30th day  
of June 2004.

☐ U.S. Mail ☒ Hand Delivery  
☐ Overnight Courier ☐ Facsimile

Signature: 