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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,  
Plaintiff/Counterclaim-Defendant,  
v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,  
Defendant/Counterclaim-Plaintiff.

**DEFENDANT/COUNTERCLAIM-  
PLAINTIFF IBM'S SEVENTH  
REQUEST FOR THE  
PRODUCTION OF DOCUMENTS**

Civil No. 2:03-CV-00294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, defendant/counterclaim-plaintiff International Business Machines Corporation ("IBM") submits this Seventh Request for the Production of Documents to plaintiff/counterclaim-defendant The SCO Group, Inc. ("plaintiff").

Plaintiff is requested to produce the documents and things in its possession, custody or control pursuant to the document requests.

All documents and things responsive to the document requests must be served on the undersigned attorneys for IBM at the offices of Cravath, Swaine & Moore LLP, 825 Eighth Avenue, New York, New York 10019 within 30 days of service of these document requests.

#### **DOCUMENT REQUESTS**

**REQUEST NO. 127:** All documents concerning any business or commercial transactions conducted in the state of New York, or conducted with businesses with locations based in the state of New York, from the beginning of 2003 to the present.

**REQUEST NO. 128:** All documents concerning SCO's alleged acquisition of UNIX copyrights from Tarantella.

**REQUEST NO. 129:** All documents concerning SCOSource, including but not limited to its charter, licensing programs, licensees, licenses, the identity and addresses of the persons SCO has contacted, or been in communication with, concerning any licenses under this program.

**REQUEST NO. 130:** All documents concerning Caldera's 2001 write-down of assets related to the assets acquired from The Santa Cruz Operation.

**REQUEST NO. 131:** Documents, including but not limited to marketing materials and business plans, concerning plaintiff's marketing plans and marketing strategy for the licensing, sale and distribution of its products, including but not limited to products identified by SCO in response to Defendant's Interrogatory No. 11.

**REQUEST NO. 132:** Documents concerning any valuations of SCO's business or assets or any of the products identified by SCO in response to Defendant's Interrogatory No. 11.

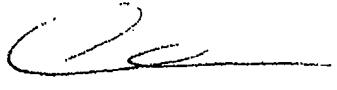
**INSTRUCTIONS AND DEFINITIONS**

Defendant/counterclaim-plaintiff IBM hereby incorporates by reference all instructions, definitions and rules contained in Rule 33 and Rule 34 of the Federal Rules of Civil Procedure and the local rules or individual practices of this Court and supplements them with the definitions and instructions set out in Defendant IBM's First Set of Interrogatories and First Request for the Production of Documents, which are incorporated herein by reference. IBM additionally supplements the definitions as follows:

As used herein, the terms "SCO Product" or "SCO Products" include any and all products that are or were created by, for, or on behalf of SCO, or licensed, distributed (in any fashion), sold or offered by or on behalf of SCO or any predecessor in interest thereof in any form (whether or not for a fee), from six years prior to the March 6, 2003 date that SCO initiated the instant action against IBM through to the present date.

DATED this 9<sup>th</sup> day of September, 2005.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of September, 2005, a true and correct copy of the foregoing was sent by U.S. Mail, postage prepaid, to the following:

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