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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

THE SCO GROUP, INC.
a Delaware corporation,

Plaintiff,

vs.

INTERNATIONAL BUSINESS
MACHINES CORPORATION, a
New York corporation,
Defendant.

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S THIRD SET OF
INTERROGATORIES AND
THIRD REQUEST FOR THE
PRODUCTION OF
DOCUMENTS**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

Pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, and the Local
Rules for the United States District Court for the District of Utah, Plaintiff, THE SCO

GROUP, INC. ("SCO"), hereby responds and objects to Defendant, INTERNATIONAL BUSINESS MACHINES CORPORATION'S ("IBM") Third Set of Interrogatories and Third Request for the Production of Documents¹, as follows:

GENERAL OBJECTIONS

SCO adopts and incorporates herein by reference the general objections filed in response to the Defendant IBM's First Set of Interrogatories and First Request for Production of Documents and Defendant IBM's Second Set of Interrogatories and Second Request for Production.

**SPECIFIC OBJECTIONS AND RESPONSES TO
REQUEST FOR PRODUCTION**

Request No. 76:

All documents concerning each affirmative defense asserted in SCO's Answer to IBM's Amended Complaint.

Response to Request No. 76:

In addition to the foregoing general objections, IBM objects to this Request on the grounds that it does not identify with reasonable particularity the documents that Defendant seeks. SCO also objects to this Request on the grounds that the documents it seeks are as accessible to Defendant as to SCO. SCO further objects to the extent this request seeks documents protected from disclosure by the attorney-client privilege and/or work product immunity. Subject to, as limited by, and without waiving the foregoing

¹ This response addresses only the Request for Production set forth in IBM's Third Set of Interrogatories and Third Request for the Production of Documents. SCO has separately filed a Motion for Enlargement of Time to Respond or Object to IBM's Third Set of Interrogatories set forth in IBM's Third Set of Interrogatories and Third Request for the Production of Documents.

general objections, SCO, after a search of reasonable scope, will produce non-privileged documents, if any, responsive to this request.

Respectfully submitted,

DATED this 28th day of October, 2003.

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

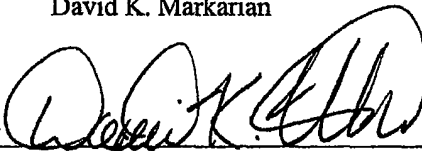
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By



Counsel for Plaintiff/Counterclaim defendant

CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, hereby certifies that a true and correct copy of Plaintiff's Response to Defendant's Third Set of Interrogatories and Third Request for Production of Documents was served on Defendant International Business Machines Corporation on this 28th day of November, 2003, by U.S. mail to:

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