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Attorneys for The SCO Group, Inc.

**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.

**PLAINTIFF'S RESPONSE TO
DEFENDANT IBM'S SEVENTH
REQUEST FOR PRODUCTION OF
DOCUMENTS**

Case No. 2:03CV0294DAK
Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

Pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure, and to the Local Rules for the United States District Court for the District of Utah, Plaintiff, The SCO Group, Inc. ("SCO"), by its undersigned attorneys, hereby responds and objects to the Seventh Request for the Production of Documents (the "Requests") of Defendant, International Business Machines Corporation ("IBM"), as follows:

General Objections

SCO hereby incorporates by reference all of the General Objections set forth in SCO's Response to IBM's First Set of Interrogatories and First Request for the Production of Documents (the "General Objections"). SCO incorporates by reference the General Objections into each of the responses set forth below, which responses SCO makes without waiver of the General Objections.

Request No. 127

All documents concerning any business or commercial transactions conducted in the state of New York, from the beginning of 2003 to the present.

Response to Request No. 127

SCO objects specifically to this Request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 128

All documents concerning SCO's alleged acquisition of UNIX copyrights from Tarantella.

Response to Request No. 128

SCO objects specifically to this Request on the grounds that it is vague, ambiguous, overbroad and unduly burdensome. SCO further objects to the extent this request seeks information from SCO's predecessors in interest, which may be outside of SCO's custody and control, and which is as accessible to IBM as to SCO. SCO further objects to this Request insofar as it is duplicative of IBM's earlier document requests, including Request Nos. 6, 18, 32, 33, 34, 39 and 53. SCO, after a search of reasonable scope, has already produced documents responsive to IBM's Request Nos. 6, 18, 32, 33, 34, 39 and 53. Subject to, as limited by, and without waiving the foregoing general objections, SCO, after a search of reasonable scope, will produce non-privileged documents, if any, responsive to this Request.

Request No. 129

All documents concerning SCOsource, including but not limited to its charter, licensing program, licensees, licenses, the identity and addresses of the persons SCO has contacted, or been in communication with, concerning any licenses under this program.

Response to Request No. 129

SCO objects specifically to this Request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. SCO further objects to the extent this

request seeks information from SCO's predecessors in interest, which may be outside of SCO's custody and control, and which is as accessible to IBM as to SCO. SCO further objects to this Request insofar as it is duplicative of IBM's earlier document requests, including Request Nos. 13 and 20. SCO, after a search of reasonable scope, has already produced documents responsive to IBM's Request Nos. 13 and 20. Subject to, as limited by, and without waiving the foregoing general objections, SCO, after a search of reasonable scope, will produce non-privileged documents, if any, responsive to this Request.

Request No. 130

All documents concerning Caldera's 2001 write-down of assets related to the assets acquired from the Santa Cruz Operation.

Response to Request No. 130

SCO objects specifically to this Request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. SCO further objects to the extent this request seeks information from SCO's predecessors in interest, which may be outside of SCO's custody and control, and which is as accessible to IBM as to SCO. Subject to, as limited by, and without waiving the foregoing general objections, SCO, after a search of reasonable scope, will produce non-privileged documents, if any, responsive to this Request.

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.

Response to Request No. 131

SCO objects specifically to this Request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. SCO further objects to the extent this request seeks information from SCO's predecessors in interest, which may be outside of SCO's custody and control, and which is as accessible to IBM as to SCO. SCO further objects to this Request insofar as it is duplicative of IBM's earlier document requests, including Request Nos. 65, 66 and 86. SCO, after a search of reasonable scope, has already produced documents responsive to IBM's Request Nos. 65, 66 and 86. Subject to, as limited by, and without waiving the foregoing general objections, SCO, after a search of reasonable scope, will produce non-privileged documents, if any, responsive to this Request.

Request No. 132

Documents concerning any valuation of SCO's business or assets or any of the products identified by SCO in response to Defendant's Interrogatory No. 11.

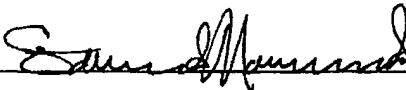
Response to Request No. 132

SCO objects specifically to this Request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. SCO further objects to the extent this request seeks information from SCO's predecessors in interest, which may be outside of SCO's custody and control, and which is as accessible to IBM as to SCO. SCO further objects to this Request insofar as it is duplicative of IBM's earlier document requests, including Request Nos. 24, 100, 101 and 107. SCO, after a search of reasonable scope, has already produced documents responsive to IBM's Request Nos. 24, 100, 101 and 107. Subject to, as limited by, and without waiving the foregoing general objections, SCO, after a search of reasonable scope, will produce non-privileged documents, if any, responsive to this Request.

DATED this 11th day of October, 2005

HATCH, JAMES & DODGE, P.C.
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Stephen N. Zack
Edward Normand

By 

Counsel for The SCO Group, Inc.

CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing Plaintiff's Responses to IBM's Seventh Request for Production of Documents was served by mail on Defendant, International Business Machines Corporation, on the 11th day of October, 2005, by U.S. Mail to:

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