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April 3, 2006

**BY ELECTRONIC FILING**

The Honorable Sue L. Robinson, Chief Judge  
United States District Court  
District of Delaware  
844 North King Street  
Wilmington, Delaware 19801

Re: Red Hat, Inc. v. The SCO Group, Inc., C.A. No. 03-772-SLR

Dear Chief Judge Robinson:

Pursuant to this Court's April 6, 2004 Order, SCO respectfully submits this 90-day status report to apprise the Court of events occurring since our last update (on January 3, 2006) in SCO v. IBM, Case No. 2:03CV0294 (DAK), which is currently pending before the Honorable Dale A. Kimball in the United States District Court for the District of Utah.

**SCO's Disclosure of Material Misused by IBM**

On February 13, 2006, in response to SCO's December 22 Disclosure of Material Misused by IBM, which identified 293 separate technology disclosures made by IBM in violation of SCO's rights, IBM filed a motion to limit SCO's claims related to misused material to the ninety-three disclosures that IBM believes were identified with sufficient specificity. SCO filed its opposition brief on March 7, and IBM's reply is due on April 4. The Court has scheduled the hearing on this motion on April 14.

**Discovery**

On February 24, 2006, the Court denied SCO's December 29 motion to compel certain discovery without prejudice to renew the motion after review of documents produced by IBM while the motion was pending.

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On March 17, 2006, the parties submitted their Stipulation Regarding Discovery. Among other things, they agreed that, with the exception of certain specified depositions, all fact discovery closed on that date; subject to certain mutual representations, there were no more discovery disputes between them; and with certain possible exceptions, they would not bring motions to compel.

**SCO's Second Amended Complaint Against Novell**

On January 31, 2006, based on a stipulation by the parties, the Court granted SCO's motion for leave to file its Second Amended Complaint against Novell. SCO filed that complaint on February 3, 2006.

Respectfully,

*/s/ Leslie A. Polizoti*

Leslie A. Polizoti (#4299)

cc: Peter T. Dalleo, Clerk (By Hand)  
Josy W. Ingersoll, (By Hand)  
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