

FILED
CLERK, U.S. DISTRICT COURT

10 NOV 03 PM 2:18

DISTRICT OF UTAH

BY: Y
DEPUTY CLERK

Brent O. Hatch (5715)
HATCH, JAMES & DODGE
10 West Broadway, Suite 400
Salt Lake City, Utah 84101
Telephone: (801) 363-6363
Facsimile: (801) 363-6666

Stephen N. Zack (admitted pro hac vice)
Mark J. Heise (admitted pro hac vice)
BOIES, SCHILLER & FLEXNER LLP
Bank of America Tower, Ste. 2800
100 Southeast Second Street
Miami, Florida 33131
Telephone: (305) 539-8400
Facsimile: (305) 539-1307

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

THE SCO GROUP,)

Plaintiff,)

v.)

INTERNATIONAL BUSINESS)
MACHINES CORPORATION)

Defendant)

**NOTICE OF SERVICE OF
DISCOVERY**

Case No. 2:03CV0294DAK

Judge: Dale A. Kimball
Magistrate Judge Brooke Wells

76

PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil Procedure, and the definitions and instructions set forth in the Subpoenas attached to this Notice, the parties below:

Digeo Corporation
529 Bryant Street
Palo Alto, CA 94301

Free Software Foundation, Inc.
59 Temple Place
Suite 330
Boston, MA 02111

Novell, Inc.
404 Wyman Street
Suite 500
Waltham, MA 02451

Open Source Development Labs
12725 S.W. Millikan Way
Suite 400
Beaverton, OR 97005

Linus Torvalds
5774 Cannes Place
San Jose, CA 95138

Transmeta Corporation
3990 Freedom Circle
Santa Clara, CA 95054

are required to produce for inspection and copying the documents specified in the Schedule as attached to the Subpoenas, at the described location, no later than November 21, 2003.

CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, hereby certifies that a true and correct copy of Plaintiff's Notice of Service of Discovery was served on Defendant International Business Machines Corporation on this 5th day of October, 2003, by U.S. mail to:

Evan R. Chesler, Esq.
Cravath, Swaine & Moore LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019

Donald J. Rosenberg, Esq.
1133 Westchester Avenue
White Plains, New York 10604

Alan L. Sullivan, Esq.
Snell & Wilmer L.L.P.
15 West South Temple, Ste. 1200
Gateway Tower West
Salt Lake City, Utah 84101-1004

BOIES, SCHILLER & FLEXNER LLP
Bank of America Tower, Suite 2800
100 Southeast Second Street
Miami, Florida 33131
(305) 539-8400
(305) 539-1307 Facsimile

By: 

Mark J. Heise
(admitted pro hac vice)