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May 28, 2004

SCO v. IBM; IBM v. SCO

Dear Mark:

I write in response to your letter dated May 26, 2004.

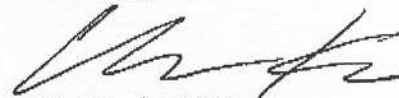
I did not receive with your letter the proposed agreement concerning the Free Software Foundation's documents. Can you resend it?

We will serve a revised deposition notice that is consistent with the dates you provide in your letter and that attempts to group the witnesses that SCO has agreed to make available in New Jersey in two- to three-day blocks. We will issue subpoenas to Mr. Greg Anderson and Mr. John Terpstra and will let you know if the proposed dates are convenient for them.

Finally, I am uncertain as to the specific memorandum dated December 19, 1999 you are seeking. The December 20, 1999 presentation materials created by Nick Bowen can be found at the pages numbered 1710088340-67.

If you have any questions, please feel free to call me.

Sincerely,



Christopher Kao

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BY FACSIMILE

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