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IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH
CENTRAL DIVISION, DISTRICT OF UTAH BY: _____
DEPUTY CLERK

THE SCO GROUP INC. : Case No. 2:03cv00294 DK
: :
: :
Plaintiff/Counterclaim- : ORDER
Defendant, :
 :
vs. : Judge Dale A. Kimball
 :
INTERNATIONAL BUSINESS MACHINES : Magistrate Judge Brooke C.
CORP. : Wells
 :
Defendant/Counterclaim-
Plaintiff.

On October 19, 2004, the court heard argument regarding SCO Group's renewed Motion to Compel Discovery. For good cause shown, the court hereby ORDERS:

1. Both parties are to prepare and exchange privilege logs within 30 days from the entry of this order.
2. IBM is provide affidavits from the Board of Directors, Mr. Palmisano and Mr. Wladawsky-Berger regarding production of all non-privileged documents pertaining to IBM's Linux strategy. The affidavits are to be filed within 30 days from the entry of this order.

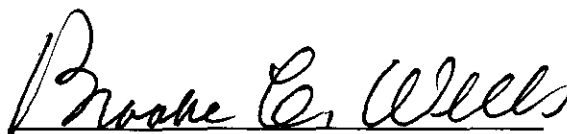
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3. The court takes the remainder of SCO's motion under advisement.

4. The court, *sua sponte*, hereby seals the transcript of the proceedings held on October 19, 2004. Copies of the transcript are to be provided to the parties in the case and to the court but the transcript shall remain sealed until further order of the court.

DATED this 20 day of October, 2004.

BY THE COURT:

A handwritten signature in cursive script that reads "Brooke C. Wells". The signature is written in black ink and is positioned above a horizontal line.

BROOKE C. WELLS

United States Magistrate Judge

United States District Court
for the
District of Utah
October 21, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

Brent O. Hatch, Esq.
HATCH JAMES & DODGE
10 W BROADWAY STE 400
SALT LAKE CITY, UT 84101
EMAIL

Scott E. Gant, Esq.
BOIES SCHILLER & FLEXNER
5301 WISCONSIN AVE NW
WASHINGTON, DC 20015

Frederick S. Frei, Esq.
ANDREWS KURTH
1701 PENNSYLVANIA AVE NW STE 300
WASHINGTON, DC 20006

Evan R. Chesler, Esq.
CRAVATH SWAINE & MOORE
825 EIGHTH AVE
NEW YORK, NY 10019
EMAIL

Mr. Alan L Sullivan, Esq.
SNELL & WILMER LLP
15 W SOUTH TEMPLE STE 1200
GATEWAY TOWER W
SALT LAKE CITY, UT 84101
EMAIL

Todd M. Shaughnessy, Esq.
SNELL & WILMER LLP
15 W SOUTH TEMPLE STE 1200
GATEWAY TOWER W
SALT LAKE CITY, UT 84101
EMAIL

Mark J. Heise, Esq.
BOIES SCHILLER & FLEXNER
100 SE 2ND ST STE 2800
MIAMI, FL 33131

EMAIL

Mr. Kevin P McBride, Esq.
1299 OCEAN AVE STE 900
SANTA MONICA, CA 90401
EMAIL

Robert Silver, Esq.
BOIES SCHILLER & FLEXNER
333 MAIN ST
ARMONK, NY 10504

Mr. David W Scofield, Esq.
PETERS SCOFIELD PRICE
340 BROADWAY CENTRE
111 E BROADWAY
SALT LAKE CITY, UT 84111
EMAIL