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U.S. DISTRICT COURT
DISTRICT OF UTAH

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International Business Machines Corporation*

**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.

**NOTICE REGARDING UNSEALING OF
DOCUMENTS PURSUANT TO 04/28/05
ORDER**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Pursuant to this Court's April 28, 2005 Order, Defendant/Counterclaim-Plaintiff International Business Machines Corporation ("IBM") hereby notifies the Court that it has reviewed the documents filed in this case to date, and that it has informed Plaintiff/Counterclaim-Defendant The SCO Group, Inc. ("SCO") of its position that the following filed documents need not continue to be maintained under seal, with the exceptions noted:

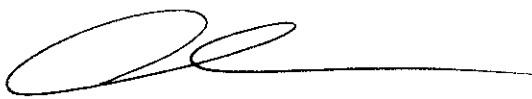
1. Exhibits I and J to the 7/6/04 Memorandum in Support of Renewed Motion by SCO Group to Compel Discovery can be unsealed; Exhibits G and H thereto should remain under seal;
2. 7/8/04 SCO's Sealed Exhibits to Memorandum in Opposition to IBM's Motion for Partial Summary Judgment on its Tenth Counterclaim for Non-Infringement may be unsealed, except for the first full paragraph on page 13 of Exhibit S-3, and for Exhibit S-6, which should remain under seal;
3. 7/9/04 Declaration of Chris Sontag in Support of SCO's Opposition to IBM's Motion for Partial Summary Judgment and all exhibits thereto;
4. 7/12/04 Sealed Declaration of Chris Sontag in Support of Reply Memorandum Regarding Discovery and all exhibits thereto;
5. 8/4/04 Declaration of Amy F. Sorenson in Support of IBM's Memorandum in Opposition to SCO's "Renewed" Motion to Compel, except for portions of Exhibit 5;
6. 8/13/04 Declaration of Todd M. Shaughnessy in Support of Motion for Partial Summary Judgment on Breach of Contract Claims and all exhibits thereto;
7. 8/16/04 Declaration of Amy F. Sorenson in Support of IBM's Motion for Partial Summary Judgment on its Counterclaim for Copyright Infringement (Eighth Counterclaim) and all exhibits thereto;
8. 8/19/04 Declaration of Jeremy O. Evans in Support of SCO's Supplemental Memorandum Regarding Discovery and all exhibits thereto;
9. 8/20/04 IBM Sealed Declaration of Brian W. Kernighan and all exhibits thereto;

10. 8/23/04 Reply Declaration of Todd M. Shaughnessy in Support of IBM's Cross-Motion for Partial Summary Judgment on its Claim for Declaratory Judgment of Non-Infringement and all exhibits thereto;
11. 9/7/04 IBM's Reply Memorandum in Support of Motion to Strike the July 12, 2004 and August 26, 2004 Declarations of Christopher Sontag;
12. 9/9/04 Memorandum in Support of SCO's Expedited Motion to Enforce the Court's Amended Scheduling Order Dated June 10, 2004, except for Exhibits 5 and 7, which should remain under seal;
13. 10/4/04 Declaration of Jeremy O. Evans In Support of SCO's Reply Brief in Further Support of its Supplemental Memorandum Regarding Discovery and all exhibits thereto, except for Exhibit 10, from which the names of the individuals and their contact information at the ISVs listed should be redacted;
14. 10/14/04 SCO's Memorandum in Support of Motion for Leave to File a Third Amended Complaint and all exhibits thereto, except for Exhibit 7 and page 14 of the Memorandum;
15. 11/30/04 IBM's Sealed Declaration of Todd Shaughnessy in Opposition to SCO's Motion for Leave to File a Third Amended Complaint and all exhibits thereto;
16. 12/01/04 SCO Sealed Exhibits to the Declaration of Jeremy O. Evans in Opposition to IBM's Motion for Summary Judgment on Breach of Contract Claims, except for Exhibits S-4 and S-6;
17. 12/23/04 Plaintiff's Memorandum in Support of Renewed Motion to Compel Discovery and all exhibits thereto;
18. 12/29/04 SCO Sealed Reply Memorandum in Support of Motion for Leave to File Third Amended Complaint and all exhibits thereto, including the Declaration of Jay F. Petersen;
19. 1/12/05 SCO's Memorandum in Support of Motion to Compel IBM to produce Samuel J. Palmisano for Deposition and all exhibits thereto; and
20. 2/25/05 SCO's Reply Memorandum in Further Support of Renewed Motion to Compel Discovery may be unsealed, as well as all exhibits thereto, with the exception of Exhibit 1, which should remain under seal.

IBM has not received a response from SCO as to its position on the foregoing pleadings and exhibits. Once IBM receives such a response, IBM will prepare unsealed and/or redacted versions of its pleadings and the exhibits associated therewith, and submit them to the Court for filing.

DATED this 27th day of May, 2005.

SNELL & WILMER L.L.P.



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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of May, 2005, a true and correct copy of the foregoing was served by U.S. Mail, postage pre-paid, on the following:

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