

**ORIGINAL** 

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Brent O. Hatch (5715)  
Mark F. James (5295)  
HATCH, JAMES & DODGE  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Telephone: (801) 363-6363  
Facsimile: (801) 363-6666

Robert Silver (admitted pro hac vice)  
Edward Normand (admitted pro hac vice) <sup>(DISTRICT OF UTAH)</sup>  
Sean Eskovitz (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300

Stuart H. Singer (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
401 East Las Olas Boulevard – Suite 1200  
Ft. Lauderdale, Florida 33301  
Telephone: (954) 356-0011  
Facsimile: (954) 356-0022

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

*Attorneys for The SCO Group, Inc.*

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

**UNSEALED EXHIBITS TO  
MEMORANDUM IN SUPPORT OF  
PLAINTIFF'S RENEWED MOTION  
TO COMPEL**

[Docket No. 191]

Case No. 2:03CV0294DAK  
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

# EXHIBIT I

**In The Matter Of:**

**THE SCO GROUP, INC., v.  
INTERNATIONAL BUSINESS MACHINES CORPORATION**

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**DAVID P. RODGERS**

*June 10, 2004*

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**LEGALINK MANHATTAN**  
**420 Lexington Avenue - Suite 2108**  
**New York, NY 10170**  
**PH: 212-557-7400 / FAX: 212-692-9171**

**RODGERS, DAVID P.**



DAVID P. RODGERS

<p style="text-align: right;">Page 117</p> <p>1 semaphores work in order to perform better. The  2 semantics of a -- perhaps I should say that a semaphore  3 is a software object that allows for multiple users of a  4 single resource to coordinate their access to that  5 single resource so that they don't collide.  6 The meaning of a semaphore in System V is  7 different than the meaning of a semaphore release in  8 BSD, and the consequence of that difference in meaning  9 is that System V is less efficient. So in the case of  10 Sequent, we modified, in the sense of augmentation, the  11 way that System V semaphores work so that they were as  12 efficient as the Dynix operating system made them be.  13 Q. Just to interrupt your train of thought for  14 just one second, when you talk about the System V  15 semaphores, is that also sometimes referred to as  16 System V IPCs?  17 A. IPC is one of the users of it, but that's  18 not -- it's not the same.  19 Q. So it's a subset of semaphores, or am I  20 overstating?  21 A. Interprocess communication is a bigger concept  22 than -- than a semaphore.  23 Q. Okay, I didn't mean to interrupt. So you  24 were saying the things that you believed that Sequent  25 modified from System V is modified the way that the</p>	<p style="text-align: right;">Page 119</p> <p>1 doing X, Y and Z"?  2 A. Yes.  3 Q. Are there any other instances that you can  4 identify for us where Sequent modified System V code for  5 use in any of its Dynix products?  6 A. I'm struggling to think of another example.  7 But I would say, generally, there were also lots of  8 adaptations where the system product code was modified  9 in some largely cosmetic way to make it compatible with  10 the compiler technology we were using. For a variety of  11 reasons, the binary output format for System V and the  12 binary output format for Berkeley are different in an  13 incompatible way. And so we would have done  14 adaptations, essentially low-value changes, so that the  15 binary output formats could be compatible.  16 Q. If I'm trying to determine all of the  17 instances of modifications, meaning either new or  18 adaptations, in Dynix that came from System V and a  19 developer was not being a good boy that day, how would I  20 go about determining anything else that was modified  21 or -- modified from System V?  22 MR. KAO: Objection to form.  23 THE WITNESS: First, I would say it would be  24 an extremely difficult assignment because the  25 modifications would have taken place over an extended</p>
<p style="text-align: right;">Page 118</p> <p>1 semaphores work. Is there anything else?  2 A. I'm sure there were many other things, but --  3 and not least of which is adapting System V to run in a  4 large-scale multiprocessor environment, to do resource  5 management in a way that was more efficient with a large  6 number of processors.  7 A small diversion here. The common wisdom at  8 the time was that -- driven largely by the mainframe  9 world, was that multiprocessors stopped being more  10 efficient than uniprocessors at about four processors,  11 which was a true statement but only true because of the  12 way that the operating systems were implemented.  13 So coming back to your question, there were  14 lots of modifications underneath the covers that allowed  15 for the System V semantics to be expressed in an  16 efficient way on a larger-scale multiprocessor.  17 Q. Well, if I were to look at Dynix code, for  18 example, how would I be able to determine the  19 modifications of the System V semaphores that now  20 appears in the Dynix code?  21 A. The simple answer is I don't know. The more  22 complicated answer is if the software developer was  23 being a good boy that day, they would have commented it.  24 Q. The comment would have indicated that "These  25 semaphores are from System V, and I've changed it by</p>	<p style="text-align: right;">Page 120</p> <p>1 period of time by many people.  2 An approach that I would adopt, if I were  3 given that assignment, is to see if I could recover the  4 RCS logs. Sequent, like many companies, maintain a  5 source control system called RCS; and I would attempt to  6 recover, from some archival storage medium, the RCS  7 logs.  8 MR. HEISE: Q. In this same sentence that we  9 were just discussing -- we just got done talking about  10 the modification to the Unix System V. What was your  11 understanding of the right to, quote, prepare derivative  12 works based upon such products, meaning Unix System V?  13 A. I think my interpretation is straightforward.  14 It means incorporate some or all of the source code, the  15 object code, or the documentation into a resultant  16 source, object, or document.  17 Q. Can you identify for us, in Sequent's Dynix  18 products, any source, object, or documentation that was  19 incorporated from Unix System V?  20 A. I don't have specific knowledge.  21 Q. Do you know whether, in fact, that did take  22 place?  23 A. Well, we can infer from the earlier discussion  24 that certainly some of the parameterization files might  25 have been incorporated and certainly some of the release</p>

30 (Pages 117 to 120)

LEGALINK MANHATTAN (212) 557-7400

# EXHIBIT J

# CMVC Introduction

## Introduction

This section contains:

- What is CMVC?
- Where to find more information

Welcome to the Configuration Management Version Control (CMVC) training document. In this document you will learn how CMVC is used in your work environment and how you can use it to become more productive and collaborate with others.

This introduction will explain what CMVC is, why it is important to your work environment and provide you with some references to more information on CMVC.

### What is CMVC? (Technical Description)

CMVC stands for Configuration Management Version Control. It is used by the AIX development organization as well as many other areas inside of IBM.

CMVC provides configuration management, version control, change control, and problem tracking in a distributed development environment to facilitate project-wide coordination of development activities across all phases of the product development life cycle.

Configuration management is the process of identifying, managing and controlling software modules as they change over time. Version control is the storage of multiple versions of a single file along with information about each version.

Shared access to all development data is supported by storing all files and information on a central server and providing access control that can be configured for each component of data. CMVC provides two types of change control. The first type controls access to files and requires files to be locked while changes take place. The second type complements the first with a mechanism for tracking all file changes across multiple products and environments. You can track both problem correction and design implementation.

The integration of problem and design tracking with change control provides a systematic, configurable approach to tracking the file changes made to resolve a reported problem or to implement a proposed design. With CMVC, you can organize your development data for effective development tracking.

### What is CMVC (Simplified Description)

*Note: Sometimes when you hear the term "release", it refers to the release of the product, e.g. 510, 43V and sometimes it refers to a track e.g. bos510, r5pc43V. In the verbiage below, release refers to the release of the product.*

What the above section conceptually boils down to is that all levels of all files (the unit of software stored in CMVC) are stored on a central server and are available for viewing and or updating by those with the proper authority.

Parallel to that is problem tracking, which is done with "defects", which are created to document and track bugs in the software. Similar to defects are "features" which are used to track enhancements to the software. Defects and features contain "tracks". A track represents a portion of a release, (which is a particular level of the product). A defect can represent a problem in multiple releases, so a defect may have multiple tracks (e.g. bos43V, bos510)... even multiple tracks for a release (e.g. bos510, pkg510).

Files that are modified to fix the bugs are associated with a particular track. There can be multiple files associated with a track, multiple tracks associated with a release and multiple releases associated with a defect.

Using the file information, defect information and reporting capability (documented later) it is possible to tie specific file changes to specific problems and generate statistics to monitor and improve the development process.

#### **Where to find more information**

*Note: Be sure the information you reference is consistent with the level of CMVC you are using. Lesson 1 (Setting up CMVC) tells you how to determine the CMVC level you are using.*

- CMVC Documentation

Continue to Lesson 1 (Setting up CMVC)

**CERTIFICATE OF SERVICE**

Plaintiff/Counterclaim Defendant, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing was served on Defendant IBM on the 5<sup>th</sup> day of July, 2005 by U.S. Mail to:

David Marriott, Esq.  
CRAVATH SWAINE & MOORE LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019

Donald Rosenberg, Esq.  
1133 Westchester Avenue  
White Plains, NY 10604

Todd Shaughnessy, Esq.  
SNELL & WILMER LLP  
1200 Gateway Tower West  
15 West South Temple  
Salt Lake City, UT 84101-1004

A handwritten signature in cursive script that reads "Laura K. Chaves". The signature is written in black ink and is positioned to the right of the typed addresses.