

SNELL & WILMER, L.L.P.  
Alan L. Sullivan (3152)  
Todd M. Shaughnessy (6651)  
Nathan E. Wheatley (9454)  
15 West South Temple, Suite 1200  
Salt Lake City, Utah 84101-1004  
Telephone: (801) 257-1900  
Facsimile: (801) 257-1800

RECEIVED CLERK  
**FILED**  
2005 DEC 16 P 8:18

U.S. DISTRICT COURT  
DISTRICT OF UTAH

CRAVATH, SWAINE & MOORE LLP  
Evan R. Chesler (admitted pro hac vice)  
David R. Marriott (7572)  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
Telephone: (212) 474-1000

*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-  
Defendant,

vs.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-  
Plaintiff.

**CERTIFICATE OF SERVICE**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball


Magistrate Judge Brooke Wells

I hereby certify that on the 16<sup>th</sup> day of December, 2005, a true and correct copy of **IBM'S RESPONSES AND OBJECTIONS TO SCO'S FIFTH SET OF INTERROGATORIES** was sent by U.S. Mail, postage prepaid, to the following:

Brent O. Hatch  
Mark F. James  
HATCH, JAMES & DODGE, P.C.  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101

Robert Silver  
Edward Normand  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, NY 10504

Stephen N. Zack  
Mark J. Heise  
BOIES, SCHILLER & FLEXNER LLP  
100 Southeast Second Street, Suite 2800  
Miami, Florida 33131

  
\_\_\_\_\_  
Nathan E. Wheatley