Exhibit 1

David Marriott
01/20/2006 03:21 PM

To "Ted Normand" <TNormand@BSFLLP.com>
cc tshaughnessy@swlaw.com
bcc
Subject RE: SCO v. IBM

Ted,

Ideally we'll have someone on the call. I cannot do it, but I will see if I can reach Todd at the deposition he is in. I have not yet been able to reach him. It does not look good if you are looking to make the call soon. If we cannot be on the call, you may represent that IBM does not oppose the motions subject to the conditions set forth in my emails: (1) the witnesses are truly unavailable; and (2) the deferrals of these depositions are unique circumstances, not part of a broader effort by SCO to extend depositions past the deadline.

Dave

"Ted Normand" <TNormand@BSFLLP.com>

"Ted Normand"
<TNormand@BSFLLP.com>
01/20/2006 03:13 PM

To "David Marriott" <DMarriott@cravath.com>
cc tshaughnessy@swlaw.com
Subject RE: SCO v. IBM

David --

I should have been clearer. To the extent that IBM does not want to appear on the call I mentioned, may I represent to the Court that IBM does not oppose the motions subject to the conditions set forth in your e-mail to me and previous e-mail to Ken Brakebill? Regards,

Ted

-----Original Message-----
From: David Marriott [mailto:DMarriott@cravath.com]
Sent: Friday, January 20, 2006 3:05 PM
To: Ted Normand
Cc: tshaughnessy@swlaw.com
Subject: SCO v. IBM

Ted,

In response to your inquiry about postponing Mr. Chatlos' deposition, IBM's position is essentially the same as with respect to Mr. Messman's deposition.

The deadline for SCO to take Novell's deposition is January 27, 2006. Magistrate Judge Wells has been clear that the deadline will not be extended, especially to accommodate additional depositions.

We will not oppose a motion by Mr. Chatlos for a protective order, however, assuming he is truly unavailable; and the deferral of his deposition is an essentially-unique circumstance as opposed to a part of a broader effort by SCO to extend depositions beyond the deadline.

Regards ,

Dave