

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

CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler (admitted pro hac vice)
David R. Marriott (7572)
Worldwide Plaza
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*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,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,
Defendant/Counterclaim-Plaintiff.

**NOTICE OF ISSUANCE OF
SUBPOENAS**

Civil No. 2:03-CV-00294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

Please take notice that Defendant/Counterclaimant International Business Machines Corporation has issued subpoenas to the following third party witnesses: (a) Kimble Jenkins, (b) Opinder Bawa, (c) Larry Goldfarb, (d) Scott Lemon, and (e) Drew Spencer.

True and correct copies of the subpoenas are attached hereto as Exhibits "A" through "E."

DATED this 9th day of March, 2006.

SNELL & WILMER L.L.P.

/s/Nathan E. Wheatley
Alan L. Sullivan
Todd M. Shaughnessy
Nathan E. Wheatley

Of Counsel:

INTERNATIONAL BUSINESS MACHINES CORPORATION
Jennifer M. Daniels
Alec S. Berman
1133 Westchester Avenue
White Plains, New York 10604
(914) 642-3000

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

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of March, 2006, a true and correct copy of the foregoing was sent to the following:

VIA HAND DELIVERY

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

VIA U.S. MAIL, POSTAGE PREPAID

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

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

/s/Nathan E. Wheatley
Nathan E. Wheatley