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Attorneys for The SCO Group, Inc.

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

<p>THE SCO GROUP, INC., Plaintiff/Counterclaim-Defendant, v. INTERNATIONAL BUSINESS MACHINES CORPORATION, Defendant/Counterclaim-Plaintiff.</p>	<p>SCO’S MOTION FOR <u>IN CAMERA</u> REVIEW OF ALLEGEDLY PRIVILEGED DOCUMENTS</p> <p>Case No. 2:03CV0294DAK Honorable Dale A. Kimball Magistrate Judge Brooke C. Wells</p>
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SCO respectfully moves this Court to compel IBM to produce in camera three documents that IBM has withdrawn based on a claim of inadvertent disclosure of attorney-client privileged material. IBM sought to withdraw the documents from their production, on the grounds of alleged attorney-client privilege, after counsel for SCO had reviewed the documents as part of its document review and, with respect to certain documents, sought to use the documents in the

course of depositions. Accordingly, counsel for SCO has had occasion to review the documents at issue. On the basis of that review and of counsel's recognizance of the documents when compiling them for purposes of destroying them in response to IBM's assertion of attorney-client privilege and in reviewing the transcripts of depositions, SCO respectfully submits that the documents are not privileged and should be produced.

This Motion is Supported by an accompany Memorandum.

DATED this 5th day of May, 2006.

Respectfully submitted,

HATCH, JAMES & DODGE, P.C.

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By /s/ Mark F. James
Counsel for The SCO Group, Inc.

Certificate of Service

Plaintiff, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing Motion to Compel Production of Allegedly Privileged Documents was served on IBM by first-class mail on the 5th day of May, 2006:

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