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**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 CONVENTIONAL FILING  
OF IBM'S MEMORANDUM IN  
OPPOSITION TO SCO'S OBJECTIONS  
TO MAGISTRATE JUDGE WELLS'  
ORDER OF JUNE 28, 2006 AND THE  
DECLARATION OF  
TODD M. SHAUGHNESSY**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Please take notice that Defendant/Counterclaim-Plaintiff International Business Machines Corporation (“IBM”) has conventionally filed the original and two copies of the following documents, papers or other materials: IBM’s Memorandum in Opposition to SCO’s Objections to Magistrate Judge Wells’ Order of June 28, 2006 (Filed Under Seal) and the Declaration of Todd M. Shaughnessy (Filed Under Seal).

These documents, papers or other materials have not been filed electronically because:

- \_\_\_\_\_ they cannot be converted to electronic format
- XXX the electronic file size of this material exceeds 2 megabytes (MB)
- \_\_\_\_\_ the Court by order has excused electronic filing
- \_\_\_\_\_ they are exempt from electronic filing pursuant to § \_\_\_\_\_ of the ECF Policy & Procedures Manual (*specific list of documents including administrative records, ex parte submissions, etc.*)

These documents have been conventionally served on all parties.

DATED this 14th day of August, 2006.

Snell & Wilmer L.L.P.

/s/ Amy F. Sorenson

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of August, 2006, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

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/s/ Amy F. Sorenson \_\_\_\_\_