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April 17, 2006

**VIA ELECTRONIC FILING**

The Honorable Robert C. Jones  
United States District Judge  
District of Nevada  
333 S. Las Vegas Blvd.  
Las Vegas, Nevada 89101

**Re: The SCO Group, Inc. v. AutoZone, Inc. CV-S-04-0237-RCJ-LRL**

Dear Judge Jones:

Pursuant to this Court's August 6, 2004 Order, The SCO Group, Inc. ("SCO") respectfully submits this 90-day status report to apprise the Court of events that have transpired since our last update (on January 17, 2006) in certain other actions.

**1. The SCO Group, Inc. v. International Business Machines Corporation, Case No. 2:03CV0294 DAK (D. Utah)**

**SCO's Disclosure of Material Misused by IBM**

On February 13, 2006, in response to SCO's December 22 Disclosure of Material Misused by IBM (which identified 293 technology disclosures made by IBM in violation of SCO's rights), IBM filed a motion to limit SCO's claims related to misused material to the ninety-three disclosures that IBM believes SCO identified with sufficient specificity.

On April 4, IBM submitted its reply brief, supported by the declaration of an expert. On April 10, SCO moved for leave to file its own expert declaration, and IBM filed an opposition brief on April 12. At the hearing on April 14 on the underlying motion to limit SCO's claims, the Court granted SCO leave to file its declaration, ruled that IBM could supplement its papers with a rebuttal expert declaration within ten days, and took the motion under advisement.

**Discovery**

On February 24, 2006, the Court denied SCO's December 29 motion to compel certain discovery without prejudice to renew the motion after reviewing documents produced by IBM while the motion was pending.

On March 17, 2006, the parties submitted their Stipulation Regarding Discovery. Among other things, they agreed that, with the exception of certain specified depositions, all fact discovery closed on that date; subject to certain mutual representations, there were no more discovery disputes between them; and with certain possible exceptions, they would not bring motions to compel.

The Honorable Robert C. Jones  
April 17, 2006  
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**2. The SCO Group, Inc. v. Novell, Inc., Case No. 2:04CV00139 (D. Utah)**

On January 31, 2006, based on a stipulation by the parties, the Court granted SCO's motion for leave to file its Second Amended Complaint. SCO filed the complaint on February 3, and Novell filed its Answer and Counterclaims on April 10.

On April 10, Novell also filed a Motion to Stay Claims Raising Issues Subject to Arbitration, contending that SCO's claims are subject to arbitration pursuant to provisions in certain 2002 UnitedLinux agreements among SCO, SuSE Linux (a wholly owned subsidiary of Novell since 2004), and other Linux distributors. On the same date, Novell filed a Request for Arbitration with the ICC International Court of Arbitration in Paris.

On April 10, Novell also filed its Motion for a More Definite Statement of SCO's Unfair Competition Cause of Action.

**3. Red Hat, Inc. v. The SCO Group, Inc., Case No. 03-772-SLR (D. Del.)**

As Your Honor knows, the Court in the Red Hat case has stayed that action sua sponte. Since our last letter to this Court, the parties in that case have submitted additional 90-day progress reports to the Court.

Respectfully submitted,

CURRAN & PARRY



Stanley W. Parry, Esq.

SWP:lcd

cc: James Pisanelli, Esq. (via hand-delivery)  
David S. Stone, Esq. (via facsimile)

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE SCO GROUP, INC.,  
a Delaware corporation.

Plaintiff,

AUTOZONE, INC.,  
a Nevada corporation,

Defendant.

Case Number: CV-S-04-0237-RCJ-(LRL)

RECEIPT OF COPY

RECEIPT OF COPY of the documents is hereby acknowledged this 17<sup>th</sup> day of April, 2006:

- 1. SCO GROUP, INC. FOURTH STATUS LETTER TO JUDGE JONES DATED APRIL 17, 2006.

*James J. Pisanelli*

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DATE: April 17, 2006  
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FROM: Stanley W. Parry  
NUMBER OF PAGES TRANSMITTED : 3 (including cover sheet)

RE: Civil Action No. CV-S-04-0237-RCJLRL; The SCO Group, Inc. v. AutoZone, Inc.

COMMENTS/NOTES:

Attached please find SCO Group, Inc.'s 90-Day Status Report Letter to Judge Jones dated April 17, 2006.

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