



JUDGE RAE LEE CHABOT
SCD GROUP INC V DAIMLERCHRYSL

STATE OF MICHIGAN

RECEIVED FOR FILING
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

THE SCO GROUP, INC. 2004 APR 15 P 1: 14

Plaintiff,
vs. OAKLAND COUNTY CLERK Civil Action No. 04-056587-CKB
BY: DEPUTY COUNTY CLERK
DAIMLERCHRYSLER CORPORATION, Honorable Rae Lee Chabot
Defendant.

Joel H. Serlin (P20224)
Barry M. Rosenbaum (P26487)
SEYBURN, KAHN, GINN, BESS AND
SERLIN, P.C.
Attorneys for Plaintiff
2000 Town Center, Suite 1500
Southfield, MI 48075
(248) 353-7620

James P. Feeney (P13335)
Thomas S. Bishoff (P53753)
Stephen L. Tupper (P53918)
DYKEMA GOSSETT PLLC
Attorneys for DaimlerChrysler Corporation
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304-2820
(248) 203-0700

DAIMLERCHRYSLER CORPORATION'S MOTION FOR SUMMARY DISPOSITION

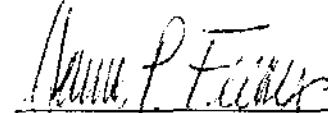
Defendant DaimlerChrysler Corporation ("DaimlerChrysler"), through its counsel, Dykema Gossett PLLC, moves for summary disposition of Plaintiff The SCO Group, Inc.'s Complaint pursuant to MCR 2.116(C)(10).

In support of this Motion, DaimlerChrysler relies upon the facts and law set forth in its Memorandum of Law In Support Of Motion For Summary Disposition, filed contemporaneously herewith, and its exhibits, the pleadings and other documents on file with the Court, and all matters of which the Court may take judicial notice.

WHEREFORE, Defendant DaimlerChrysler Corporation respectfully requests that this Court grant this Motion and enter an order, pursuant to MCR 2.116(C)(10), dismissing Plaintiff The SCO Group, Inc.'s Complaint in its entirety with prejudice.

Respectfully Submitted,

DYKEMA GOSSETT PLLC



James P. Feeney (P13335)
Thomas S. Bishoff (P53753)
Stephen L. Tupper (P53918)
Attorneys for Defendant
DaimlerChrysler Corporation
39577 Woodward Avenue, Suite 300
Bloomfield Hills, MI 48304-2820
(248) 203-0700

Of Counsel:

HALE and DORR LLP

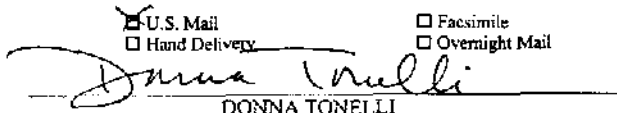
Mark G. Matuschak
Michelle D. Miller
60 State Street
Boston, MA 02109
617-526-6000

Robin L. Alperstein
300 Park Avenue
New York, NY 10022
(212) 937-7200

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties and/or attorneys of record for all parties to the above cause at their respective addresses as indicated on the pleadings, on the 15th day of April, 2004, by:

U.S. Mail Facsimile
 Hand Delivery Overnight Mail



DONNA TONELLI