



STATE OF MICHIGAN
 IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND
 THE SCO GROUP, INC.,

Plaintiff, RECEIVED FOR FILING
 OAKLAND COUNTY CLERK

vs.

2004 JUN 30 P 3:11

Civil Action No. 04-056587-CKB

DAIMLERCHRYSLER CORPORATION,

Honorable Rae Lee Chabot

DEPUTY COUNTY CLERK

Defendant.

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**DAIMLERCHRYSLER CORPORATION'S MOTION TO STRIKE CERTAIN
 PARAGRAPHS OF THE AFFIDAVIT OF WILLIAM BRODERICK**

DaimlerChrysler Corporation ("DCC"), through its counsel, Dykema Gossett PLLC, submits this motion to strike Paragraphs 8, 10-26, 28, 35, 44-45, 56-57, 59 and 62-65 of the Affidavit of William Broderick ("Broderick Affidavit") for failure to comply with MCR 2.119(B)(1) and MCR 2.116(G)(6) because the statements contained therein are not within the personal knowledge of the affiant.

In support of this Motion, DCC relies upon the facts and law set forth in its Memorandum of Law in Support of Motion to Strike Certain Paragraphs of the Affidavit of William Broderick, 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 2.119(B)(1) and MCR 2.116(G)(6)


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striking Paragraphs 8, 10-26, 28, 35, 44-45, 56-57, 59 and 62-65 of the Broderick Affidavit from the record.

Dated: June 30, 2004

Respectfully Submitted,

DYKEMA GOSSETT PLLC



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PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing
in-
C
address
of June 30, 2004

U.S. Mail Hand Delivery
 Overnight Courier Facsimile

Signature James P. Feeney