

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

THE SCO GROUP, INC.,

Plaintiff,

vs.

Civil Action No. 04-056587-CKB

DAIMLERCHRYSLER CORPORATION,

Honorable Rae Lee Chabot

Defendant.

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**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT  
DAIMLERCHRYSLER CORPORATION'S MOTION FOR SUMMARY DISPOSITION**

At a session of said Court, held in the Oakland County Courthouse  
in the City of Pontiac, County of Oakland, State of Michigan, on

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PRESENT: Hon. Rae Lee Chabot, Circuit Court Judge

This matter having come before the Court on Defendant DaimlerChrysler Corporation's Motion for Summary Disposition, filed on April 15, 2004; Plaintiff The SCO Group, Inc. having filed a Memorandum of Law and Affidavit of William Broderick in opposition to DaimlerChrysler Corporation's Motion for Summary Disposition on June 16, 2004; Defendant DaimlerChrysler Corporation having filed a Reply Brief in support of its Motion for Summary

Disposition on June 30, 2004; and the Court having considered the papers submitted by the parties and hearing argument from their counsel at a duly noticed hearing on July 21, 2004, and being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that Defendant DaimlerChrysler Corporation's Motion for Summary Disposition is GRANTED in part and DENIED in part, such that the Court will grant summary disposition as to all claims except for SCO's claim for breach of contract for DaimlerChrysler's failure to respond to the request for certification in a timely manner, for the reasons stated on the record at the July 21, 2004 hearing.

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Hon. Rae Lee Chabot  
Circuit Court Judge

AGREED AS TO FORM:

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Barry M. Rosenbaum (P26487)  
Counsel for Plaintiff The SCO Group, Inc.

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Thomas S. Bishoff (P53753)  
Counsel for Defendant DaimlerChrysler Corporation