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U.S. DISTRICT COURT  
DISTRICT OF UTAH



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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 ERRATA**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

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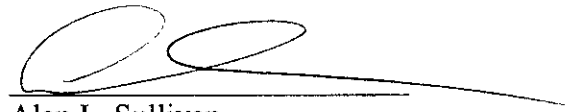
Defendant/Counterclaim Plaintiff International Business Machines Corporation (“IBM”) respectfully submits this Notice of Errata for its Memorandum in Support of its Motion to Strike the Declaration of Christopher Sontag, filed August 4, 2004.

The August 4, 2004 Declaration of Joan Thomas In Support of IBM’s Motion to Strike the Declaration of Christopher Sontag is incorrectly quoted at page four of the memorandum. The quotation instead should read as follows:

Even setting aside the fact that he has no personal knowledge of the operation of CMVC, Mr. Sontag’s conjecture regarding his proposed “top-down” approach is simply wrong, as set forth in the accompanying Declaration of Joan Thomas. (See, e.g., 8/4/04 Declaration of Joan Thomas ¶¶ 8-9) (“Contrary to Mr. Sontag’s assumptions, there is no top-level directory in CMVC that contains the word ‘AIX’, from which we could extract all AIX source, and only AIX source, from that directory and its subdirectories. The vast majority of the AIX-related directories and files on CMVC, in fact, do not even contain the word ‘AIX’ in their names. . . . [D]etermining which components in CMVC are part of the AIX operating system is a time-consuming process that requires that engineers intimately knowledgeable about the AIX operating system and about CMVC engage in a time-consuming, multi-step process to extract the source code files that are part of the AIX operating system from the tens of thousands of other source code files that are not part of the operating system.”)

DATED this 9<sup>th</sup> day of August, 2004.

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**CERTIFICATE OF SERVICE**

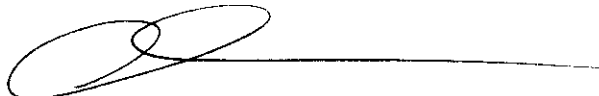
I hereby certify that on the 9<sup>th</sup> day of August, 2004, a true and correct copy of the foregoing was hand delivered to the following:

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