

SNELL & WILMER L.L.P.  
Alan L. Sullivan (3152)  
Todd M. Shaughnessy (6651)  
Amy F. Sorenson (8947)  
15 West South Temple, Suite 1200  
Salt Lake City, Utah 84101-1004  
Telephone: (801) 257-1900  
Facsimile: (801) 257-1800

CRAVATH, SWAINE & MOORE LLP  
Evan R. Chesler (admitted pro hac vice)  
David R. Marriott (7572)  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
Telephone: (212) 474-1000

*Attorneys for Defendant/Counterclaim-Plaintiff  
International Business Machines Corporation*

**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.

**STIPULATION AND JOINT MOTION  
TO SEAL CONFIDENTIAL  
DOCUMENTS**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

The parties, through their counsel of record, hereby stipulate and jointly move the Court for an Order sealing Exhibits 1 and 2 of Attachment A to the subpoena attached as Exhibit A to the Notice of Subpoena Duces Tecum re Houlihan Valuation Advisors, filed by International Business Machines Corporation (“IBM”) on February 22, 2006 (Docket No. 631).

DATED this 9th day of March, 2006.

SNELL & WILMER L.L.P.

Alan L. Sullivan  
Todd M. Shaughnessy  
Amy F. Sorenson

CRAVATH, SWAINE & MOORE

Evan R. Chesler  
David R. Marriott

By /s/ Todd M. Shaughnessy  
*Counsel for Defendant International  
Business Machines Corporation*

DATED this 27th day of February, 2006.

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch  
Mark F. James

By /s/ Brent O. Hatch  
*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 9th day of March, 2006, a true and correct copy of the foregoing was sent by U.S. Mail, postage prepaid, to the following:

Brent O. Hatch  
Mark F. James  
HATCH, JAMES & DODGE, P.C.  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101

Stephen N. Zack  
Mark J. Heise  
BOIES, SCHILLER & FLEXNER LLP  
100 Southeast Second Street, Suite 2800  
Miami, Florida 33131

Robert Silver  
Edward Normand  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, NY 10504

By /s/ Todd M. Shaughnessy