

COURT UNITED STATES DISTRICT COURT
COUNTY OF MIDDLE DISTRICT OF NORTH CAROLINA

THE SCO GROUP, INC. Plaintiff(s)
against
INTERNATIONAL BUSINESS MACHINES CORP. Defendant(s)

Index No. 2:03CV0294
DISTRICT OF UTAH
AFFIDAVIT OF
SERVICE OF SUBPOENA
IN A CIVIL CASE

NORTH CAROLINA STATE OF ~~IRVING~~ COUNTY OF Guilford SS. The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at Greensboro, NC
That on JANUARY 14, 2006 at 8:27 P.M. at 2200 WILLOW ROAD, GREENSBORO, NORTH CAROLINA
deponent served the within subpoena on OTIS WILSON witness therein named.

- IN A CIVIL CASE
- INDIVIDUAL by delivering a true copy to said witness personally; deponent knew the person so served to be the witness described in said subpoena.
 - CORPORATION a corporation, by delivering thereat a true copy to personally, deponent knew said corporation so served to be the corporation witness and knew said individual to be thereof.
 - SUITABLE AGE PERSON by delivering thereat a true copy to a person of suitable age and discretion. Said premises is witness'—actual place of business—dwelling place—usual place of abode—within the state.
 - AFFIXING TO DOOR, ETC. by affixing a true copy to the door of said premises, which is witness'—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find witness or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to witness at witness' fast known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO BUSINESS Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to witness at witness' actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the witness.

- DESCRIPTION Male White Skin Black Hair White Hair 14-20 Yrs. Under 5' Under 100 Lbs.
- Female Black Skin Brown Hair Balding 21-35 Yrs. 5'0"-5'3" 100-130 Lbs.
- Yellow Skin Blonde Hair Mustache 36-50 Yrs. 5'4"-5'8" 131-160 Lbs.
- Brown Skin Gray Hair Beard GRAY 51-65 Yrs. 5'9"-6'0" 161-200 Lbs.
- Red Skin Red Hair Glasses Over 65 Yrs. Over 6' Over 200 Lbs.

Other identifying features:

At the time of said service, deponent paid (tendered) in advance \$ 50.00

the authorized traveling expenses and one day's witness fee.

Sworn to before me on January 19th 2006
Patricia A. Mitchell

Steve Mitchell
PRINT NAME BEHIND SIGNATURE
STEVE MITCHELL
License No. 1721

