FILED
-5 MAR 04 PM 1:48
DISTRICT OF UTAH
BY: DEPUTY CLERK

FILED Rcvd
-4 MAR 04 PM 5:09
DISTRICT OF UTAH
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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

THE SCO GROUP, Plaintiff, v. INTERNATIONAL BUSINESS MACHINES CORPORATION, Defendant.	**ADDENDUM TO STIPULATED PROTECTIVE ORDER** Judge: Dale A. Kimball Civil No. 2:03 CV 294

On September 15, 2003 the SCO Group ("SCO") and International Business Machines Corporation ("IBM") agreed to the terms of a stipulated protective order.

In ongoing discovery, SCO has sought from IBM source code for the AIX and Dynix operating system (collectively "Source Code"). The Source Code contains, among other things, source code that is subject to third-party confidentiality obligations, including code for which IBM may owe obligations to Computer Associates International, Inc. and/or its subsidiaries and predecessors in interest ("Computer Associates"). Some of the Source Code that has been identified as being subject to such confidentiality obligations includes code developed by Locus

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Computing Corporation ("Locus") and code for the Dynix operating system developed by Interactive Systems Corporation ("Interactive"). The obligations of confidentiality owed to Computer Associates with regard to the aforementioned Source Code arise from a series of acquisitions and/or changes of control whereby Computer Associates became successor-in-interest to Locus and Interactive. IBM, Locus and Interactive, respectively, entered agreements that obligated IBM to maintain the confidentiality of the foregoing Source Code.

Computer Associates considers the Source Code to be highly confidential. Because of its confidentiality, and because of the competing business interests between SCO and Computer Associates, SCO has agreed that, with respect to any Source Code that is provided to SCO by IBM in this lawsuit, it shall be produced to SCO on an outside attorneys' eyes-only basis. Accordingly, the Source Code may be disclosed to SCO's outside counsel of record in this lawsuit, but shall not be disclosed to anyone else, including without limitation any of SCO's officers, directors or employees, including SCO's in-house counsel. Computer Associates has agreed that outside experts who are not otherwise affiliated with SCO and outside counsel may review the Source Code. SCO further agrees that outside counsel and/or any experts who review the Source Code will not utilize this software for any development purposes, and will limit their review and use of the software to issues relevant to the present litigation.

Based upon the stipulation of counsel and good cause appearing therefore, IT IS HEREBY ORDERED THAT the Stipulated Protective Order is amended as follows:

The Source Code, as defined above, may only be disclosed by IBM to SCO's outside counsel and its independent experts. SCO shall not provide said Source Code to SCO's officers

or employees, including SCO's in-house counsel, nor use said source code for any purpose outside the context of the present litigation.

DATED this 5th day of March, 2004

Honorable Dale A. Kimball
United States District Court Judge

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APPROVED AS TO FORM

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CERTIFICATE OF MAILING

I hereby certify that on the 4th day of March, 2004, a true and correct copy of the foregoing ADDENDUM TO STIPULATED PROTECTIVE ORDER was hand delivered to the following:

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United States District Court
for the
District of Utah
March 5, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

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