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BY E-FILING

The Honorable Sue L. Robinson, Chief Judge
United States District Court
District of Delaware
844 North King Street
Wilmington, Delaware 19801

Re: Red Hat, Inc. v. The SCO Group, Inc., C.A. No. 03-772-SLR

Dear Chief Judge Robinson:

Pursuant to this Court's April 6, 2004 Order, SCO respectfully submits this 90-day status report to apprise the Court of events occurring since our last update (on October 4, 2006) in SCO v. IBM, Case No. 2:03CV0294 (DAK), which is pending before the Honorable Dale A. Kimball in the United States District Court for the District of Utah.

Summary Judgment Motions

On November 11, 2006, the parties filed their respective opposition memoranda to the pending summary judgment motions. Reply memoranda are due on January 12, 2007, and the Court has set oral argument on the motions for March 1, 5, and 7, 2007.

Other Pending Motions

The parties have fully briefed SCO's Motion for Relief for IBM's Spoliation, and the Court will hear argument on this motion on January 18, 2007.

By an order dated November 29, 2006, the Court affirmed and adopted Magistrate Judge Wells' order of June 28, 2006, that granted in part IBM's motion to limit SCO's claims related to allegedly misused materials. On December 21, 2006, Magistrate Judge Wells issued an order granting IBM's Motion to Confine SCO's Claims to, and Strike Allegations in Excess of, the Final Disclosures. On December 13, 2006, SCO filed a motion for reconsideration of the Court's November 29 Order.

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Scheduling Issues

By its Order of November 30, 2006, the Court also vacated the trial date of February 27, 2007, to allow for the pending summary judgment motions to be argued and decided. The Court also stated that it would set a new trial date after deciding those motions and the dispositive motions in the SCO v. Novell case.

SCO v. Novell

On October 4, 2006, SCO moved for an expedited stay or continuance to respond to Novell's Motion for Partial Summary Judgment or Preliminary Injunction of September 29, 2006. SCO also asked the Court to extend fact discovery. On October 24, the Court granted SCO an extension to oppose Novell's motion until December 11, 2006, and extended fact discovery to February 1, 2007. The Court also set a schedule for motion, including an argument date of January 23, 2007.

By its October 4 Order, the Court also vacated the remaining pre-trial and trial deadlines and asked the parties to submit a new scheduling order including pre-trial deadlines consistent with a new dispositive motion deadline of March 14, 2007, and a new trial date of September 17, 2007.

Respectfully,

/s/ Leslie A. Polizoti

Leslie A. Polizoti (#4299)

cc: Peter T. Dalleo, Clerk (By Hand)
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