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*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.

**DECLARATION OF JOHN GEORGE**  
Civil No. 2:03CV-0294 DAK  
Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

I, John George, declare as follows:

1. I am currently employed by International Business Machines Corporation ("IBM") as a Software Engineer in IBM's Linux Technology Center ("LTC"). I have worked for IBM since 1999.

2. This declaration is submitted in connection with the lawsuit brought by The SCO Group, Inc. ("SCO") against IBM, titled The SCO Group, Inc. v. International Business Machines Corporation, Civil No. 2:03CV-0294 DAK (D. Utah 2003). I make this declaration based upon personal knowledge.

3. Before it was acquired by IBM in 1999, I worked for Sequent Computer Systems, Inc. ("Sequent").

4. I understand that SCO has alleged that an "IBM Unknown Person" disclosed Sequent Software Product Integration and Evaluation ("SPIE") tests to the Linux Test Project ("LTP"). I authored a number of the referenced LTP tests. None of them were part of the DYNIX/ptx operating system.

5. All of the LTC tests referenced by SCO, including those that I contributed to Linux, were original IBM or Sequent works. They did not include any Unix System V material; they were not modifications or derivative works of Unix System V; and they were not written with reference to Unix System V. Testing technologies were not part of the Unix System V operating system.

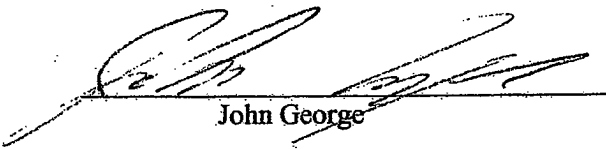
6. The LTP tests that I authored do not include any kernel source code, nor do they require knowledge of or reference to kernel source code to develop.

7. I did not refer to or use any System V code, methods or concepts in developing any of the testing technologies that were contributed to Linux.

8. I declare under penalty of perjury that the foregoing is true and correct.

Executed: September 12, 2006.

Beaverton, Oregon



John George