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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 DAVID GROTHE

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

I, David Grothe, declare as follows:

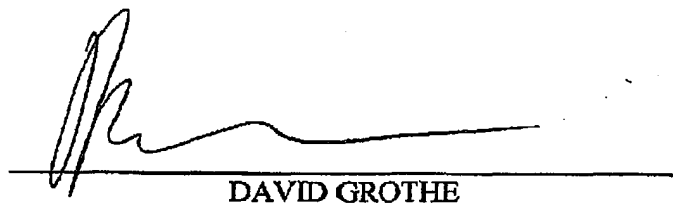
1. I am currently employed by Gcom, Inc. as Founder and President. In that capacity, I am the principle active supporter and maintainer of Linux STREAMS (LiS), which is not in the Linux kernel but is supported by some Linux systems.
2. This declaration is submitted in connection with the lawsuit brought 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. I recall that in approximately 1997, I was approached by a representative of Caldera Systems, Inc, by the name of Jim Freeman. I was informed by Mr. Freeman that Caldera was interested in a Linux STREAMS implementation in connection with its work on its "Netware for Linux".
4. In communications I had with certain Caldera representatives, I was informed that Caldera had encountered opposition to adding STREAMS support to the Linux kernel; and, was unable to persuade the Linux community to include STREAMS technology in the Linux kernel. That opposition presented an obstacle to using the then-current Linux STREAMS code I had written, since it was designed to be integrated into the kernel, requiring considerable user effort in order to enable its functions.
5. By the 1997 to 1998 time frame I had assumed responsibility to maintain Linux STREAMS. When I had such responsibility, Jim Freeman, who was a Caldera developer, contributed code to the Linux STREAMS project that made it possible for the Linux STREAMS support to run as a loadable module, resolving the problems associated with the mainstream

Linux kernel's rejection of STREAMS as an integrated part of the kernel. Caldera's contributions to the creation of a practical Linux Streams implementation were significant and valuable.

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

Executed: September 22, 2006

Location: Savoy, Illinois



DAVID GROTHE