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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.,	**DECLARATION OF HAL PORTER**
Plaintiff/Counterclaim-Defendant,	Civil No. 2:03CV-0294 DAK
v.	Honorable Dale A. Kimball
INTERNATIONAL BUSINESS MACHINES CORPORATION,	Magistrate Judge Brooke C. Wells
Defendant/Counterclaim-Plaintiff.	

I, Hal Porter, declare as follows:

1.   I am currently employed by International Business Machines Corporation ("IBM") as an Engineering Manager in IBM's Linux Technology Center ("LTC"). I have worked for IBM since 2000.

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 understand that SCO has alleged in Item 187 of its Final Disclosures that I disclosed "Dynix/ptx networking technology" to Linux.

4.   I understand that SCO alleges that I made Linux contributions to the following directories:

    net/ipv4/*
    net/ipv6/*
    net/sctp/*

I have never made any contributions to files in these directories.

5.   All of the contributions that I have made to Linux in the area of networking technology were original to IBM. None of them included any Unix System V material. None of them was a modification or derivative work of Unix System V. None of them was based on System V. And none of them was written with reference to System V. All of my Linux contributions were based on my own creativity and general experience.

6.   The Dynix/ptx operating system did not implement either IPv6 or SCTP networking technology.

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

Executed: September/2, 2006.

Beaverton, Oregon

Hal Porter
Hal Porter