

THE HONORABLE ROBERT S. LASNIK

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

THENDIC ELECTRONICS COMPONENTS, a
foreign corporation, and GENESI SARL, a
foreign corporation,

Plaintiffs,

v.

AMIGA INC., a corporation in the state of
Washington,

Defendant.

NO. 003-0003

**DECLARATION OF EVERT CARTON IN
SUPPORT OF AMIGA, INC.'S RESPONSE
TO MOTION TO MODIFY THE ORDER
GRANTING SPECIFIC PERFORMANCE**

I, Evert Carton, declare as follows:

1. I am the Managing Partner of Hyperion VOF ("Hyperion"), a corporation of good standing under Belgian law. I have personal knowledge of the facts contained herein and am competent to testify thereto.

2. Hyperion entered into a software license agreement with Amiga, Inc. on November 3, 2001, in which Hyperion agreed to develop the next generation of the Amiga Operating System., OS 4.0.

DECLARATION OF EVERT CARTON IN SUPPORT OF
AMIGA, INC.'S RESPONSE TO MOTION TO MODIFY THE
ORDER GRANTING SPECIFIC PERFORMANCE - 1

Cairncross & Hempelmann, P.S.
Law Offices
524 Second Avenue, Suite 500
Seattle, Washington 98104-2323
Phone: 206-587-0700 · Fax: 206-587-2308

