3. The Amiga Operating System, OS 4.0 is a completely different product than Amiga's DE product. The Amiga Operating System, OS 4.0 and previous versions of the Amiga Operating System are intended for use on proprietary hardware and are conceptually completely different from Amiga's DE product. AmigaOS 4.0 from Hyperion and AmigaDE do not share a common code base, nor does Amiga OS 4.0 have any shared resources with AmigaDE. Hyperion is not using any part or concepts of AmigaDE as a basis or foundation for developing the Amiga Operating System, OS 4.0.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

DATED this 19th day of March, 2004 at Louvain, Belgium.

Evert Carton

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