

## DECLARATION OF THOMAS BURNS

I, Thomas Burns, declare that:

1. I am personally familiar with the facts set forth herein, and, if called as a witness, I could and would testify thereto of my own personal knowledge.

2. I hold a Bachelor of Science degree in Mathematics and Computer Science from Northern Illinois University.

3. I have traded securities and derivatives since 1994. From 1994 to 2000 I traded securities on a part time basis. From 2000-2002 I traded stocks as my primary source of income using Nasdaq Level 2 electronic trading screens and related charting tools. For approximately the last year and a half I have traded futures electronically with a trading group called Darwin Capital. I trade 2, 5, and 10 year treasury note futures, all of which are listed by the Chicago Board of Trade. I also trade cash treasury notes and bonds, which are listed for electronic trading on ESpeed. I use the electronic trading screen offered by ESpeed to trade such cash treasury products.

4. Both the Nasdaq Level 2 and ESpeed trading screens display the prices and quantities in the market using a simple grid display. Prior to seeing TT's MD Trader product, I thought these trading screens were great and were the best way to trade electronically. I thought they were fast and that they satisfied all of my trading needs.

5. I became familiar with TT's MD Trader product when I first started trading futures products electronically at Darwin Capital. Although it took me about a week to get used to the MD Trader product and all of its useful features were not immediately obvious to me, I did quickly notice that there was a world of difference between the way MD Trader displayed the market and the way I had ever seen it displayed previously.

6. One of the most significant benefits that MD Trader offered was that it displayed the ebbs and flows of a market in a way that I could easily see as I traded. It is very helpful to my trading to know where the market is moving and where it has been and the MD Trader product visually showed such movement as though it was a picture on the screen. I could also see the high and low traded prices visually and intuitively using the MD Trader product. The difference between MD Trader and the other screens I had used was like night and day.

7. Another important feature of the MD Trader product was the order entry feature, which allowed me to enter orders with a single click of the mouse at the price where I wanted to enter an order. This process was much faster than any order entry system I had used before.

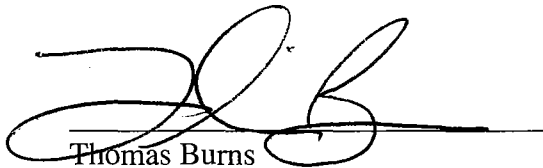
8. Entering an order at a price displayed on the MD Trader screen was especially beneficial and different from what I had seen before. The prices did not move, unless I chose to center them on my screen, so I was always guaranteed to enter an order at the price I wanted. This feature was important because I was never at risk to enter an order at a position other than where I wanted to be.

9. The re-centering feature of the MD Trader product was also an important feature. With one click I could re-center the MD Trader window on my computer screen. This allowed me to keep a reference point from which I could gauge the movement in the market. I could re-center the reference point whenever I chose. This helped me to visualize the movement in the market.

10. If I had traded with MD Trader when I traded securities, I would have traded a much greater volume of trades.

11. MD Trader users have a significant advantage over traders that do not use MD Trader for all of the reasons set forth in this declaration.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 14, 2004.



Thomas Burns