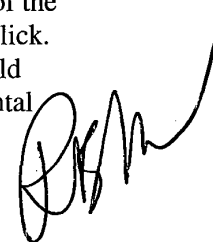


## DECLARATION OF ROB MOORE

I, Rob Moore, 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 have over 20 years experience in futures trading. I started trading on the floor of the Chicago Board of Trade ("CBOT") in around 1980. In 1990, Jim Heinz and I founded Marquette Partners, a proprietary trading firm. Marquette was an early pioneer in electronic futures trading when it began trading electronically on the DTB exchange in Germany. Marquette has grown from 5 employees to now over 85 traders, IT professionals and support staff. Marquette is now a leading liquidity provider to the world's largest derivatives exchanges and has successfully trained individuals who trade on electronic exchanges around the world, including the Chicago Mercantile Exchange, CBOT, Eurex, Euronext-Paris, Euronext-LIFFE and Borsa Italia.
3. Sometime in 2000 I saw a beta version of what became TT's MD Trader product. My initial reaction was that TT had come up with a different way to show price movements and allow for order entry than the typical order entry tools being used at the time. I liked that the new tool provided the ability to easily see movement in the market by displaying the market data against a static column of prices so that the data moved relative to the prices. I also liked the ability it provided to confidently click at various price levels to enter orders.
4. When TT released MD Trader as a product, Marquette rolled it out to a small group (5-10) of traders. In short order, we were able to see that the MD Trader product provided a real edge over the preexisting order entry screens. Today all but one of our traders uses MD Trader. The transition period from the old style screens to MD Trader was difficult, though, because MD Trader was such a significant change from what traders were used to. However, once traders got past that initial period of adjustment, they saw the great advantages of using MD Trader and now could not switch back.
5. The reason that MD Trader was such an improvement over the preexisting order entry screens was because it increased the speed in which a trader could react to market conditions and enter orders. This speed is critical to the success of a trader who trades electronically. MD Trader provided this speed benefit by providing for very accurate and fast order entry as compared to the preexisting screens because there was no risk of the prices changing while a trader was attempting to enter an order through a mouse click. MD Trader also had an improved display of the market data such that a trader could easily see the ebb and flow of the market. This improved display reduced the mental




burden on the trader compared to the older style screens in which the trader need to make mental calculations to determine how the market was moving and the extent of the movement. The MD Trader product also had a one-click recentering feature that was valuable because it allowed the trader to quickly bring the display of the market to the center of the screen and set a point of reference. I had never seen any of these features in preexisting electronic trading tools.

6. The MD Trader product initially met with some resistance. For example, because of the fixed nature of the prices there is a risk in MD Trader of the market information floating off of the screen. This is impossible with the preexisting systems. Also, traders were so used to using the preexisting systems and did not perceive any problems with those systems. Prior to the release of MD Trader, TT's X\_Trader product included an older style order entry screen. We were using this as our order entry screen and TT was regularly making incremental improvements and enhancements to the screen. MD Trader, on the other hand, was a complete departure from this typical older style order entry screen. It was only after seeing the benefits of this new unusual screen that people like myself realized the shortcomings of the preexisting systems.

7. After TT launched MD Trader, almost every other independent software vendor (ISV) released products with similar features, such as the static price, the improved order entry and the recentering features.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July

*July 27*, 2004.

  
Rob Moore