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F.#2004R02093

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

D E C L A R A T I O N

-against-

Cr. No. 04-837 (ILG)

COMPUTER ASSOCIATES INTERNATIONAL, INC.

Defendant.

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ERIC R. KOMITEE hereby declares the following under
Section 1746 of Title 28 of the United States Code:

1. I am an Assistant United States Attorney in the
Eastern District of New York. I make this declaration in support
of the government's motion to dismiss, with prejudice, the
criminal Information in the above-captioned matter.

2. On April 19, 2005, the United States filed the
criminal Information against Computer Associates International,
Inc., (now known as "CA, Inc.," and hereinafter "CA"), charging
CA with (a) securities fraud in violation of Title 15, United
States Code, Sections 78j(b) and 78ff, and Title 17, Code of
Federal Regulations, Section 240.10b-5; and (b) obstruction of
justice in violation of Title 18, United States Code, Section
1512(c)(2).

3. Pursuant to the terms of the Deferred Prosecution
Agreement ("Agreement") executed by the parties on September 22,

2004 and filed concurrently with the Information, the government agreed to defer prosecution on the criminal Information for eighteen months (later extended, on consent, to twenty-six months) if CA complied with CA's obligations set forth in the Agreement.

5. As is indicated in a report furnished to the Court on May 1, 2007 by the Court-appointed Independent Examiner, Lee Richards III, Esq., CA has complied with the terms of the Agreement.

WHEREFORE, it is respectfully requested that the Court grant the government's motion to dismiss, with prejudice, the Information in the above-captioned matter.

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

ERIC R. KOMITEE
Assistant U.S. Attorney

Executed on May , 2007
Brooklyn, New York