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THE HONORABLE CAROL A. SCHAPIRA  
KING COUNTY

HEARING DATE: July 10, 2012 at 3:30 p.m.

E-FILED

CASE NUMBER: 12-2-21829-3 SEA

**SUPERIOR COURT OF WASHINGTON FOR KING COUNTY**

**GEOFF TATE** and **SUSAN TATE**, a  
married couple

Plaintiffs,

v.

**EDDIE JACKSON** and **TERESA  
GOLDEN-JACKSON**, a married couple;  
**SCOTT ROCKENFIELD** and **MISTY  
ROCKENFIELD**, a married couple;  
**MICHAEL WILTON** and **KERRIE LYNN  
WILTON**, a married couple; **TRI-RYCHE,  
CORPORATION**, a Washington  
corporation; **QUEENSRYCHE  
MERCHANDISING, INC.**, a Washington  
corporation; and **MELODISC LTD.**, a  
Washington corporation.

Defendants.

No: 12-2-21829-3 SEA

**DECLARATION OF ANTHONY  
BENDER**

Under penalty of perjury under the laws of the State of Washington, I, Anthony  
Bender, declare:

I have been one of the drum and guitar technicians for the band, Queensryche,  
since 2010. My involvement with the band began around September of 2009 when I  
was hired to fill in as a keyboard player/harmony singer/third guitar player. This lasted

1 just until the end of that leg of the 2009 tour in November of the same year. As time  
2 elapsed, a job as a guitar tech opened up in the spring of 2010, and I took the job and  
3 have been with the guys ever since. As of last year, I also started drum teching as well.

4         When we were in Brazil, the band had a meeting before the gig at which point  
5 words were exchanged between the four of them: Geoff Tate, Eddie Jackson, Scott  
6 Rockenfield and Michael Wilton. Fate's Warning (another band) played its set, and we  
7 went ahead doing our job of getting all of our gear ready to do our set. Once we finished  
8 preparing the band came down to the stage to get ready to play the show. Geoff Tate  
9 came down last and walked to the front of the drum riser and pushed it over. He then  
10 walked around to the left side of the stage where Michael Wilton was standing and he  
11 punched Michael Wilton in the face. Then he went after Scott Rockenfield, and security  
12 jumped in and kept the two of them apart. While this was happening, Geoff Tate was  
13 spitting on Scott Rockenfield and hurling various insults at him. Neither Scott  
14 Rockenfield nor Michael Wilton fought back while this was happening. We got Geoff  
15 Tate to a point where we could do the gig even though he continued to spit on Scott  
16 Rockenfield, Eddie Jackson and Michael Wilton through the duration of the gig.

17         While the show was going on, Edward Eugene "Geno" Bishop (the other guitar  
18 tech) packed all of the band's bags and belongings up and loaded them into a van.  
19 When the gig was over, security immediately walked Eddie Jackson, Parker Lundgren,  
20 Scott Rockenfield and Michael Wilton to the van and took them back to the hotel.


21         I honestly believe that what Eddie Jackson, Scott Rockenfield and Michael Wilton  
22 want the band to be and what Geoff Tate wants the band to be are two different things.  
23 Over the years, the band has moved in a dramatically different musical direction from  
24 what most fans would consider to be "the golden years" (for lack of a better term).

1 Queensrych is a progressive metal band at its core, and since the first album was  
2 released, the general public recognizes the brand of Queensryche as such.

3 I worked two shows with Eddie Jackson, Scott Rockenfield, Michael Wilton and  
4 Todd LaTorre under the name Rising West and was blown away by the positive reaction  
5 from the fans. People flew in from as far east as Japan to be there for those two nights.  
6 In addition, both shows were completely sold out and they sold every single piece of  
7 merchandise on the first night. In the days of preparation before the gig, the feeling of  
8 friendship and positivity between the five guys was so very apparent between them. It  
9 was very hard to really not notice. Fans at the show, and even afterwards on the  
10 message board, recognized this as well. Out of curiosity, I have always kept my eye on  
11 the web forums to see what people are saying about the band. I have never seen the  
12 general fan public this fired up and excited.

13 From my perspective, being on the crew, the gig before we went to Brazil and the  
14 two ones after were like walking on eggshells. The vibe was obviously very tense and  
15 we all felt this as such. Geoff Tate made a threat to the band members before the M3  
16 festival that he was going to hit them if they came into to "area" on stage. As a result of  
17 this, we had to have security all around the stage just in order to look out for the well  
18 being of Eddie Jackson, Scott Rockenfield and Michael Wilton during a gig. Also, when  
19 we played at Rocklahoma this year, Geoff Tate told the crowd that they sucked. If I feel  
20 like I am walking on eggshells, I can't even imagine what working in this environment is  
21 like for Eddie Jackson, Scott Rockenfield and Michael Wilton.

22 Signed this 6<sup>th</sup> day of July 2012, at King County, State of Washington.

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25   
Anthony Bender