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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 ORLANDO
SCOTT "FOZZY" O'HARE**

Under penalty of perjury under the laws of the State of Washington, I, Orlando
Scott "Fozzy" O'Hare declare:

I have been the tour manager for the band Queensryche since 2010. I have been
involved with Queensryche for the past 11 years, beginning in 2001. Starting in 2001, I
assisted the band off and on in various assistant capacities from helping to manage and

DECLARATION OF ORLANDO SCOTT "FOZZY"
O'HARE - 1

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1 sell Queensryche t-shirts and merchandise at concerts to taking care of the band's
2 wardrobe, dressing rooms and catering. In 2006 I became a full time employee and
3 assistant to the band as well as Geoff Tate's personal assistant and tech whenever the
4 band was on tour until the end of 2009. I was promoted to my current role as tour
5 manager in 2010.

6 On Saturday, April 14, 2012, we were at The HSBC arena in Sao Paulo, Brazil,
7 for a Queensryche show. The show was to start at 11:15 p.m. During sound check,
8 Geoff Tate informed me that the band would be conducting a meeting in the dressing
9 room and they were not to be disturbed.

10 After sound check, I informed the rest of the three band members that Geoff Tate
11 would like to have a meeting in the dressing room. The four band members went into
12 the dressing room and shut the door. I made sure no one entered the dressing room
13 during their meeting. After about 15 minutes, Geoff Tate came out of the dressing room
14 and went into his dressing room. He informed me that he was ready to go back to the
15 hotel until show time.

16 Geoff Tate arrived back at the venue for the show. When it was time to walk the
17 guys to the stage, I escorted the three members, Eddie Jackson, Scott Rockenfield and
18 Michael Wilton, with Parker Lundgren (the hired stage right guitar player) to the stage
19 and then returned to the dressing room to walk Geoff Tate.

20 Geoff Tate and I arrived to the stage and began our pre-show prep. We had a
21 downstage curtain and it was closed. Geoff Tate proceeded to walk around the stage
22 checking out the set up and lights. As he walked in front of the drum riser, he pushed all
23 the drums off the riser, looked at Scott Rockenfield and said, "Oops." I immediately
24 started helping Geno Bishop (Michael Wilton's guitar tech and Scott Rockenfield's stage
25

1 left drum tech) replace the drums. I was close enough to hear, and I never heard Scott
2 Rockenfield say anything to Geoff Tate about firing him or his family.

3 I heard Geoff Tate yelling "you f**king pussies." I looked over and saw Geoff Tate
4 go over behind the drums and punch Scott Rockenfield in the face. I ran over to where
5 they were and before I could get to Geoff Tate, he punched Scott Rockenfield a second
6 time. I grabbed Geoff Tate and asked, "What's your problem?"

7 Geoff Tate then began to spit on Scott Rockenfield. Scott Rockenfield walked
8 over to the stage right area to get out of the line of Geoff Tate spitting. Geoff Tate was
9 yelling obscenities at Scott Rockenfield and continued spitting on him.

10 I grabbed Geoff Tate by his arms and walked him over to his area that he uses
11 for the show. I asked Geoff Tate what was going on, and he started walking towards
12 Michael Wilton yelling, "Yeah, you, too, you f**king pussy."

13 Geoff Tate then punched Michael Wilton in the face. I ran over to Geoff Tate and
14 again grabbed him by the arms and said, "Geoff, you are not going to do this."

15 At that time, I yelled for security to restrain Geoff Tate and get him off the stage.
16 Security went over to Geoff Tate and tried to restrain him. At this time, I went to Michael
17 Wilton to see if he was okay. At that time, I noticed that security had left Geoff Tate's
18 side and was walking off the side.

19 I then went over to where Geoff Tate was. He was still spitting on Scott
20 Rockenfield. I walked Geoff Tate back over to his area, and as he walked by Eddie
21 Jackson, Geoff Tate leaned over and said, "You're next, pussy."

22 I got Geoff Tate to his area and asked him, "What the f**k is your problem?"
23 Geoff Tate stated that the other guys wanted to fire him from the band, and that they
24 already fired Susan Tate and Miranda Tate.

1 Geoff Tate again started spitting towards Michael Wilton from where he was
2 standing. I told him, "Listen, you want to be pissed off, then go ahead and be pissed, but
3 you have no f**king reason to be putting your hands on anyone." He told me at that
4 time, "I'm good, I'm calm."

5 Kelly Gray (stage manager and monitor tech) and I stood with Geoff Tate and
6 kept him at a distance while I went to attend to Scott Rockenfield and Michael Wilton. I
7 checked with the two of them to see if they were okay. Michael Wilton had an ice pack
8 to his right eye area. Michael Wilton told me he needed a moment. I told him to take all
9 the time he needed.

10 I went then to check on Scott Rockenfield. Scott Rockenfield said he was good,
11 but to keep Geoff Tate away from them.

12 I went back to Geoff Tate and explained to him that we had a show to do, and
13 that we had to honor our contract. Geoff Tate said, "I'm good to do the show, but I am
14 going to f**k with them all night." I told Geoff Tate he could not fuck with the guys during
15 the show, that he needed to suck it up and act like a man. I told him, "Do your job and
16 deal with whatever is bothering you after the show."

17 I told security and the promoter that we would need to position security officers
18 on the stage behind the drum riser in Michael Wilton's area and in Eddie Jackson's
19 area, and that if Geoff Tate came anywhere near that area, they were to escort him off
20 the stage with whatever means necessary.

21 We were able to start the show 25 minutes late. During the show, right from the
22 beginning, Geoff Tate started spitting on the guys. When I saw that Geoff Tate wouldn't
23 stop spitting on the guys, I had Geno Bishop, our guitar and drum technician since
24 2003, go to the dressing room and pack up Eddie Jackson's, Scott Rockenfield's,
25 Michael Wilton's and Parker Lundgren's belongings and put them in the transportation

1 vehicle. I informed the promoter that I needed the van driver at the vehicle and ready to
2 leave at a moment's notice, and that I would also need two security officers to escort
3 Eddie Jackson, Scott Rockenfield, Michael Wilton and Parker Lundgren in the vehicle
4 back to the hotel.

5 During the show, I informed Eddie Jackson, Scott Rockenfield, Michael Wilton
6 and Parker Lundgren not to do the traditional bow to the crowd at the end of their show,
7 and they were to go straight off the stage to the waiting van for a quick exit before Geoff
8 Tate knew they were gone.

9 After the show at the hotel, I had to place security at the elevators on the floors
10 where Eddie Jackson, Scott Rockenfield and Michael Wilton were staying, and informed
11 them that if Geoff Tate came to that floor, they were to notify me immediately.

12 That night, I arranged for Geoff Tate to take a different flight home so that he was
13 not on the same flight as anyone else. I also arranged different transportation to the
14 airport and made sure that Geoff Tate did not come within eyesight of the rest of the
15 band.

16 This is my statement in full of the events of Saturday, April 14, 2012, at the
17 HSBC arena in Sao Paulo, Brazil.

18 Signed this 2nd day of July 2012, at Maricopa County, State of Arizona.

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22 Orlando Scott "Fozzy" O'Hare
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