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12 JUN 29 AM 11:21

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3 SUPERIOR COURT CLERK  
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5 CASE NUMBER: 12-2-21829-3 SEA

6  
7 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
8 IN AND FOR THE COUNTY OF KING

9 GEOFF TATE and SUSAN TATE, a married  
10 couple,

11 Plaintiffs,

12 v.

13 EDDIE JACKSON and TERESA GOLDEN-  
14 JACKSON, a married couple; SCOTT  
15 ROCKENFIELD and MISTY  
16 ROCKENFIELD, a married couple;  
17 MICHAEL WILTON and KERRIE LYNN  
18 WILTON, a married couple; TRI-RYCHE,  
19 CORPORATION, a Washington Corporation;  
20 QUEENSRYCHE MERCHANDISING, INC.,  
21 a Washington corporation; and MELODISC  
22 LTD., a Washington corporation,

23 Defendants.

Case No. 12-2-21829-3 SEA

DECLARATION OF PAUL GARGANO

24 Paul Gargano declares as follows:

25 1. I am over 18, competent to give testimony, and base this declaration on  
26 personal knowledge. I live in southern California.

27 2. I have been in the hard rock and heavy metal music industry my entire career. I  
28 started as Rock Critic for the *Milwaukee Journal-Sentinel*, and spent ten years as Editor of  
29 *Metal Edge* magazine, which covers the hard rock and heavy metal music industry. I am now  
30 the co-owner and Executive Editor of that magazine. In addition, I have been in the recording

DECLARATION OF PAUL GARGANO

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1 industry for many years, spending more than a decade as an artist manager and public relations  
2 and marketing specialist. I am now Product Manager with related recording companies  
3 Century Media Records and InsideOut Music, and handle all day-to-day operations for the  
4 InsideOut label in North America. I also do Artists & Repertoire for the entire company,  
5 which means that I scout, sign, and guide rock bands signed by the labels.

6 3. Through my experience as a writer and producer of hard rock and heavy metal  
7 music, I have become familiar with the band Queensryche. I first got to know the band in the  
8 early 1990s. Since then, I have reported on their albums, their tours, and their reputation in the  
9 music industry, conducted dozens of interviews with the band, written liner notes, label copy  
10 and marketing assets for their albums, interviewed the band on their DVDs, and also spoken as  
11 an expert about the band on both VH1 and MTV. Fans and people in the music industry know  
12 the role Geoff Tate has played for Queensryche. In addition to lead singer, he is the principal  
13 songwriter and voice of the band. It is fair to say that to many fans, recording industry  
14 professionals, booking agents, and promoters, Geoff Tate "is" Queensryche.

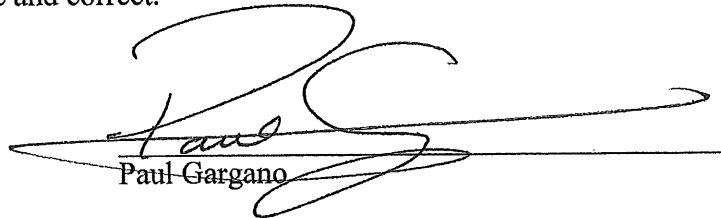
15 4. Through my experience, I have also had a number of opportunities to see what  
16 happens to bands like Queensryche after those bands attempt to replace their lead singer. Even  
17 worse, when they do so in an acrimonious manner. The bands Warrant, Skid Row, and L.A.  
18 Guns come to mind, but there are many others. The bands always suffer and do considerable  
19 damage to their careers and legacy. They lose fans and fewer promoters will be interested in  
20 booking their shows. The promoters who are willing to work with them book them to smaller  
21 venues, for less money. The sale of the band's merchandise also suffers, with fewer people  
22 willing to pay for the band's merchandise after their name and legacy has been damaged.

23 5. I believe that the decision by Scott Rockenfield, Eddie Jackson, and Michael  
24 Wilton to issue a press release stating that Geoff Tate is no longer in Queensryche and that  
25 Queensryche will tour and record music with a new lead singer, Todd La Torre, will  
26 significantly hurt the Queensryche name and brand. Queensryche will lose fans and fewer

1 promoters will take them seriously, causing damage to the band's name, and harming their  
2 future potential as both a live and recording act. The fact that Rockenfield, Jackson, and  
3 Wilton canceled remaining shows makes promoters even less likely to book them, and further  
4 harms the band's reputation in the music industry – especially since they are passing  
5 themselves off as Queensryche, and making decisions that people assume Geoff Tate is a part  
6 of.

7 6. In my opinion, based on my experience in the industry, the best course of action  
8 to take at this point would be to stop any tours or recordings by anyone in the name of  
9 Queensryche until this litigation can be resolved.

10  
11 I declare under penalty of perjury of the laws of the State of California this 27th day of  
12 June, 2012 that the foregoing is true and correct.

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14   
15 Paul Gargano

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19 4834-9655-9376, v. 1  
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