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THE HONORABLE CAROL A. SCHAPIRA

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

KING COUNTY
SUPERIOR COURT CLERK

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 PAUL GEARY

Under penalty of perjury under the laws of the State of Washington, I, Paul
Geary, declare:

My name is Paul Geary and I am a senior manager at AGPS Management/Front
Line Management Group. Front Line is a division of Live Nation Entertainment, and is
by far the largest and most successful artist management company in the world. Our

1 roster of artists includes over 250 of the world's most successful touring acts, including
2 Neil Diamond, The Eagles, Aerosmith, Jimmy Buffet, Creed, Van Halen and Journey,
3 just to name a few.

4 We were recently very pleased to add the group Queensryche to our roster of
5 acts. One of our managers traveled to Seattle to see the band perform with their new
6 front man, Todd La Torre, and was so impressed that he recommended that we sign
7 them immediately, which is what we did.

8 Our company specializes in rebuilding the careers of artists that have
9 experienced declining popularity over the years as is the case with Queensryche. We
10 have seen several situations in which groups have replaced their front man/vocalist and
11 went on to greater levels of success. Two notable examples of that are the groups
12 Journey and Van Halen. Journey replaced their singer Steve Perry with an unknown
13 singer/songwriter from the Philippines, and are currently enjoying greater performance
14 earnings than ever. Van Halen replaced their original singer David Lee Roth and went
15 on to have more hits and greater earnings than in the height of their success with Roth.

16 Since signing Queensryche with their new front man Todd La Torre, we have
17 begun the process of building a new team of "top shelf" industry professionals for them.
18 We are currently in the process of deciding between two talent agents who wish to sign
19 the group: John Branigan of the William Morris Agency and Ken Fermaglich of The
20 Agency Group. These are two of the most powerful agencies in the business. In the
21 meantime, agents that have been vying for the group's business have begun making
22 legitimate performance offers. Within the first two weeks of representing them, we have
23 already secured several engagements with the new lead singer at the same
24 performance guarantees as with the former singer Geoff Tate. Attached is a true and
25 correct copy of a letter from Sullivan D. Bigg of Bigg Time Entertainment confirming

1 these engagements, as well as the high demand for this new Queensryche line-up, and
2 the reasons why.

3 The group has signed a representation agreement with a publicity firm in New
4 York called "PFA" (Paul Freundlich Associates). Kevin Chiaramonte is the group's
5 responsible publicist there. Chiaramonte has worked with our company on several
6 major projects, initially as the head of publicity for Universal Records, and now as a
7 senior publicist for "PFA."

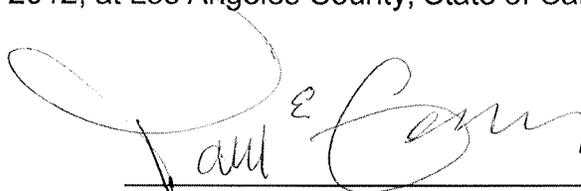
8 AGPS also has full an in-house staff of industry professionals including a tour
9 marketing department, one of the best rock radio promotions men in the business, a
10 new media department to maximize social media opportunities, and one of the best tour
11 managers employed full time to deal with the complexities of moving a large touring
12 group efficiently in order to maximize profit margins.

13 AGPS/Front Line's mother company "Live Nation" is the largest concert
14 promotion firm in the business by far with over 22,000 concerts in 57 countries annually.
15 We will work closely with our counterparts to offer the group consistent performance
16 opportunities on a world-wide basis.

17 An injunction at this point would put a sudden end to the resources needed to
18 fund the band's organization by effectively cutting off tour earnings needed by the group
19 to fund their general business and sustain their livelihood. At an average five
20 performances per week, and at a conservative performance guarantee of \$20,000 per
21 date, gross revenues lost by such injunction could exceed \$400,000 per touring month,
22 not including ancillary revenue (i.e., merchandise and record sales). Based on the
23 resources our management can bring to bear, I easily see us being able to provide
24 Queensryche up to ten touring months worth of shows, and thus revenue, between now
25

1 and November 2013, along with the sizable increase in merchandise and back catalog
2 sales that would create.

3 Signed this 3rd day of July 2012, at Los Angeles County, State of California.

4
5 

6

Paul Geary

BIGG TIME ENTERTAINMENT, INC.

July 2, 2012

Glen Parrish
Azoff, Geary, Paul, Smith mgmt.
1100 Glendon ave. 10th flr # 1000
L.A. CA. 90024

Re: Queensryche

To Whom It Concern;

My name is Sullivan Bigg. I am the Owner & President of Bigg Time Entertainment, Inc. located in Sherman Oaks, California. Established in 2006 Bigg Time Entertainment (BTE) is a licensed and bonded national talent agency that books, confirms, and contracts in excess of 300 shows per year worldwide.

BTE's specific niche is hard rock / classic rock from the early 80's through the early 90's. BTE is the exclusive representation of multiplatinum selling, internationally known, Grammy nominated rock acts such as **Vince Neil of Motley Crue, Great White, Slaughter, Stryper** and many others. These acts are from the same musical genre and appeal to the same age demographics as **Queensryche** fans.

I consider myself an expert in the value of such acts. Booking these acts is my entire career. It's all I do.

Although **Queensryche** was always more of a "progressive metal" act which is somewhat different than the acts BTE represents. Nevertheless their fans base more often than not consists of the same people... i.e. **Queensryche** fans / ticket buyers are the same people that are fans / ticket buyers of BTE's roster of talent. That fact has been proven time and time again in the past as nearly all of BTE's roster has played together many times on the same lineups as **Queensryche** and even toured together from time to time over the past 25+ years.

I have intricate knowledge this genre of music and I am well versed in the intrinsic value of these acts. I am very familiar with **Queensryche's** popularity as well as their value in today's live concert market.

Queensryche in my professional opinion remains a valuable touring act regardless of Geoff Tate's involvement or not. I have recently personally dealt with a similar situation where one of my primary clients **Great White** (a multiplatinum selling act from the 80's) parted ways with their original lead singer Jack Russell. Since Mr. Russell's departure from **Great White** two years ago I have booked and confirmed more than 120 shows all over the US, Canada and Europe....with very little change in their ability to sell tickets, popularity and most important their performance guarantees. Many doubted the ability of **Great White** to continue on in a profitable & successful manner with another vocalist / front man considering that many thought

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BIGG TIME ENTERTAINMENT, INC.

of Mr. Russell (like in the case of Mr. Tate) as “legendary” and “irreplaceable”... that “without him there would be no value”. This could not be more incorrect.

It is the name of the Artist and the hit songs they play that draw people in, sell the tickets, and motivate concert Promoter’s to book acts like **Queensryche**.

I am not trying to take anything away from Mr. Tate’s obvious talent, past contributions and amazing vocal ability but the point is that the demand for **Queensryche** goes beyond just Mr. Tate.

I am proud to say that in less than a week I was able procure and confirm three bookings totaling \$72,000. These buyers were fully made aware of the fact that Geoff is no longer a member of **Queensryche**. This did not sway them or cause hesitation in confirming the deal... what did make a difference was the fact that the “new” **Queensryche** plans to focus on songs from the highly popular and fan preferred first five records.

I see no reason why **Queensryche** cannot successfully continue on with another vocalist. I think there is still huge demand for the band and a great deal of financial gain for all involved.

Bigger examples of the point I am making is **Van Halen** who replaced original front man **David Lee Roth** and went on to even bigger commercial and financial success. Mega rock acts such as **Journey**, **Foreigner** as well as, **Skid Row**, and **Warrant** all of which replaced their lead singers (several of which were considered “legendary and irreplaceable”) and have continued to successfully tour for many years and make millions of dollars. If all of those acts can do it why is so unforeseeable in some people’s eyes that the existing members of **Queensryche** can’t?

Feel free to contact me should you have any questions

Sincerely,

Sullivan D. Bigg
Owner/President