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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 EDDIE  
JACKSON**

Under penalty of perjury under the laws of the State of Washington, I, Eddie  
Jackson, declare:

I am the bass guitarist and founding member of the band Queensryche, which  
was formed in 1982.

I grew up listening to music and singing to songs on the radio at a very young

1 age. I began playing acoustic guitar when I was 14. At the age of 16, I started playing  
2 bass, electric guitar and I've always enjoyed singing too. I also experimented with  
3 drums, and, years later, eventually purchased a small drum kit. My strong passion for  
4 music had been realized, and I knew this was what I wanted to pursue in life.

5 In late 1979 I met drummer Scott Rockenfield through a mutual friend. Shortly  
6 after I met guitarist Michael Wilton and Chris DeGarmo. The four of us got together  
7 performing cover songs, but were much more interested in writing our own music. It was  
8 about a year later when I first met Geoff Tate.

9 Chris DeGarmo, Michael Wilton, Scott Rockenfield and I were still working  
10 together as a band when Geoff Tate approached us, and asked if we would be  
11 interested in him working with us. We had formed a band called The Mob, performing  
12 cover songs. About a half a year later, Geoff Tate decided to move on.

13 Around 1981, Geoff Tate was performing in a local band called Myth, that was  
14 looking to sign a recording contract, but were unsuccessful.

15 Scott Rockenfield, Michael Wilton, Chris DeGarmo and I had scheduled  
16 recording time at a local studio called Triad Studios in Redmond WA. The four of us  
17 funded this studio session out of our own pockets.

18 Geoff Tate's band, Myth, was still struggling to find a recording contract. Chris  
19 DeGarmo approached Geoff Tate, and asked if he would be interested in recording with  
20 us. All four songs (*Queen of the Reich*, *The Night Rider*, *Blinded* and *The Lady Wore*  
21 *Black*) were completely composed prior to Chris DeGarmo asking Geoff Tate if he  
22 wanted to record with us. Geoff Tate did, however, contribute lyrics to the fourth song,  
23 *The Lady Wore Black*. Upon completion of the recording session, Geoff Tate agreed to  
24  
25

1 do a promo photo with the band, but was non-committal. Kim and Diana Harris (local  
2 record shop owners) had submitted the four-song demo to a local publication called  
3 *Kerrang* while on vacation in London, England. After positive reviews and international  
4 praise, the band Queensryche was formed (which Chris DeGarmo named, by the way).  
5 At that point, Geoff Tate finally made a commitment to join the band.

### 6 **BAND SIGNS WITH EMI RECORDS**

7  
8 With the interest of the four-song demo from major record companies, we  
9 collectively decided to sign an extensive record contract with EMI records.

10 Queensryche's musical landscape is a blend of hard rock, melodic, heavy metal  
11 sounds. The name Queensryche has always represented five band members, not just  
12 one individual. The recipe for Queensryche's success has always been the  
13 collaboration of each band member's efforts. Each band member's unique talents,  
14 passion, hard work and dedication is part of this chemistry.

15 During our relationship with EMI records we had recorded a total of six albums:

- 16 • *The Warning,*
- 17 • *Rage for Order,*
- 18 • *Operation: Mindcrime,*
- 19 • *Empire,*
- 20 • *Promised Land, and*
- 21 • *Hear in the Now Frontier*

22  
23 Geoff Tate doesn't write music. He has never written a musical/song composition  
24 since the band's existence. His profession is as a singer/vocalist (records vocals and  
25 writes lyrics).

1 Michael Wilton, Scott Rockenfield, Chris DeGarmo and I have written the  
2 compositions accordingly (collectively and individually), and have been the main  
3 performers on all of these albums, and have even contributed to several vocal melodies  
4 and lyrics.

5 The band has sold over 20 million albums worldwide. The most popular album  
6 was *Empire*. It has sold over 3 million albums and featured the band's first top 10 single  
7 called *Silent Lucidity*, a composition that Chris DeGarmo wrote both musically and  
8 lyrically in its entirety.

### 9 **PROMISED LAND INCIDENT**

10  
11 While we were recording the band's fifth album that was released on EMI records  
12 called *Promised Land*, Geoff Tate had been experiencing marital problems. I'm sure he  
13 had a very difficult time focusing on both his marriage while also trying to be creative;  
14 however, while in the studio, I witnessed something that was a bit disturbing. I was  
15 sitting at a table reading some of the band's fan mail and started hearing yelling and  
16 cursing. As I turned my head towards the direction it was coming from, that's when I  
17 saw Geoff Tate slam through one of the studio doors while screaming at Chris  
18 DeGarmo from two feet away, yelling something in the likes of "don't bring any more of  
19 your bulls\*\*t here. I don't need any more of your bulls\*\*t!" He was in such rage I thought  
20 he was going to physically assault Chris DeGarmo. He continued to yell a couple more  
21 expletives and just walked away. Chris DeGarmo, like a true gentleman, just kept his  
22 composure and started walking towards the front door. I wanted to share this incident  
23 because to this day Scott Rockenfield, Michael Wilton and I have continued to witness  
24 this type of random violent behavior from Geoff Tate on several occasions when he gets  
25

1 extremely angry and upset.

2 **CHRIS DEGARMO DECIDES TO LEAVE THE BAND**

3 After the album release for *Hear and The Now Frontier*, followed by an extensive  
4 tour, it was evident that something wasn't right.

5 Since Geoff Tate didn't write any music, we continued to collectively submit to  
6 him various musical compositions to work on. However, Chris DeGarmo had been very  
7 quiet with very little communication. Chris DeGarmo finally contacted everyone to  
8 schedule a band meeting where he informed us he had made a decision to leave the  
9 band.  
10

11 **KELLY GRAY GETS HIRED AND GETS FIRED**

12 Over the course of the next five album releases (*Q2K, Tribe, Operation:*  
13 *Mindcrime II, American Soldier* and *Dedicated to Chaos*) the band had gone through  
14 three guitar players, four management firms and five record companies.

15 After Chris DeGarmo left, the band he was adamant about hiring Kelly Gray as  
16 the next Queensryche guitar player. We had also severed ties with Q-Prime  
17 Management that had been managing us for about eight years, and decided to hire Ray  
18 Daniels, who at the time was also managing the bands Rush and Van Halen.  
19

20 Once again, since Geoff Tate didn't write any music, and the band continued to  
21 collectively submit to him various musical compositions for the next album called *Q2K*.

22 Kelly Gray did not write the whole album with Geoff Tate as he claims. Michael  
23 Wilton, Scott Rockenfield, Kelly Gray and I spent many hours writing song ideas  
24 collectively and individually.

25 After just one album and an extensive tour with Kelly Gray, Geoff Tate refused to

1 continue working with him because of his substance abuse and Kelly Gray was  
2 eventually fired. Geoff Tate also decided to fire our manager, Ray Daniels.

3 Michael Wilton, Scott Rockenfield and I weren't too pleased with the firing of Ray  
4 Daniels, but to avoid Geoff Tate's random violent behavior, we decided it would be best  
5 to just keep our distance and not start an argument.

6 Lars Sorenson was hired as the new Queensryche band manager. Susan Tate  
7 (Geoff's wife) was already working with Lars Sorensen as an assistant.

8  
9 After a year later, Geoff Tate decided to fire Lars Sorensen and conveniently hire  
10 his wife Susan Tate as manager. Michael Wilton, Scott Rockenfield and I knew it was a  
11 recipe for disaster and had no choice but to accept the idea if Geoff Tate was to  
12 continue working with the band.

### 13 **MIKE STONE REPLACES KELLY GRAY AS NEW QUEENSRYCHE GUITARIST**

14 Before recording the album *Tribe*, frustration started to build with Michael Wilton,  
15 Scott Rockenfield and I towards Geoff Tate in regards to song writing, the type of  
16 direction the band should be taking, along with certain decisions made by Geoff Tate  
17 that he did not allow us to take part in. He was creating a negative energy around our  
18 work environment. In fact, his wife Susan Tate emailed us and said that "my husband  
19 has a dark side...I'm having a difficult time trying to reach out to him!"  
20

21 Geoff Tate spiritually had removed himself from Queensryche and basically  
22 stepped away for about a year and decided to record his own album; however, at the  
23 same time, causing a serious detriment to the Queensryche brand.

24 Michael Wilton, Scott Rockenfield and I, along with Mike Stone, continued to  
25 write music and compositions for obvious reasons and eventually submitted them to

1 Geoff Tate. In fact, we even rented a studio room at Bear Creek Studios in Woodinville  
2 WA for two weeks to compose. Geoff Tate would on occasion stop in from time to time  
3 after riding his motorcycle to hear the various compositions we had written.

#### 4 **CHRIS DEGARMO RETURNS TO RECORD WITH THE BAND**

5 Chris DeGarmo had been invited to participate on the Tribe record. He recorded  
6 and composed several songs. When Chris DeGarmo was in the band, he used to take  
7 part in a lot of Geoff Tate's vocals sessions, and they would work together creating  
8 vocal harmony ideas, etc. However, Geoff Tate's demeanor continued and when it was  
9 actually his turn to start recording, he rudely told Chris DeGarmo that he wasn't needed.  
10 Not a pleasant "hey, thanks for coming back and recording with the band" attitude,  
11 especially toward someone who used to be in the band for 15 years and had written  
12 arguably the most popular song Queensryche had ever recorded! As usual, Chris  
13 DeGarmo, like a true gentleman, just kept his composure and simply got up and left.

#### 15 **JASON SLATER HIRED TO PRODUCE OPERATION: MINDCRIME II**

16 Jason Slater was hired to produce *Operation: Mindcrime II*. A couple of us were  
17 not too thrilled about the idea of recording a sequel. Our concern was that it would not  
18 be able to stand up to the original. The first album was so magical, captivating and  
19 unpredictable, and with the chemistry of all five original members made it so successful.  
20

21 Immediately we started to feel tension. We spent many days and hours spread  
22 out throughout Geoff Tate's basement working on compositions. Geoff Tate and Jason  
23 Slater basically decided to take control and started making decisions on what  
24 compositions they wanted to work on and thought some of my song ideas were in the  
25 mix. For some reason, they showed no support towards Scott Rockenfield and Michael

1 Wilton. Mike Stone was hired as our other guitar player and he was confused on what  
2 was going on.

3 I was in San Jose recording bass tracks. Michael Wilton wanted to fly down to be  
4 a part of the recording, but I overheard Geoff and Susan Tate saying, "lets try to avoid  
5 flying Michael down to San Jose. I don't want him here!." They continued to avoid all  
6 contact with Michael Wilton and Scott Rockenfield. The nepotism between Geoff and  
7 Susan Tate, controlling, lack of support and disrespect to the other band members was  
8 causing significant harm to the band.  
9

10 There were a few times when our producer, Jason Slater, spent several hours  
11 playing xbox 360 or sleeping on the couch when he should've been working. As soon as  
12 he knew Geoff Tate was arriving to the studio, he would immediately start working.

13 There was tension growing between Geoff and Susan Tate and Jason Slater. We  
14 were trying to recover certain session files from him for our live show to use for our tour,  
15 but were unsuccessful. Geoff Tate became very upset and had mentioned that we  
16 should not work with him again in the future. Also, I remember Susan Tate having me  
17 read an email where Jason Slater called her a "C\*\*t" over a dispute she and Geoff Tate  
18 had with him.  
19

20 In the end one, of the bands most anticipated albums was received with  
21 mediocre reviews. It only sold approximately 150k copies which compared to the  
22 original was a disappointment to all.

### 23 **AMERICAN SOLDIER ALBUM**

24 It wasn't long before we started to question some of Geoff and Susan Tate's  
25 business decisions. Michael Wilton, Scott Rockenfield and I continued to witness the



1 same disrespectful, controlling negativity from Geoff and Susan Tate and Jason Slater  
2 during the writing process for the album *American Soldier*. The three of us refused to  
3 work with Jason Slater again; however, Geoff and Susan Tate paid no attention to us  
4 and decided to hire Jason Slater again as co-producer. Once again, Scott Rockenfield,  
5 Michael Wilton and I had no voice in the decision. Our working environment had  
6 become very stressful.

7  
8 We recorded the album at my El Dorado studio. It took over ten months to  
9 complete the album. Kelly Gray had been hired to engineer the record. In the ten  
10 months we were recording, Jason Slater (who was hired as co-producer) was present  
11 maybe three or four times! We continued to pay him when he basically was a no-show.  
12 Geoff and Susan Tate continued to mismanage the situation. Even though Kelly Gray  
13 was hired as an engineer for less money, he should've been hired as a co-producer for  
14 the 10 months he spent while at the studio.

15 We started to have major issues with Jason Slater. He refused to submit  
16 recorded sessions files and he refused to return calls for several months. Geoff and  
17 Susan Tate were extremely upset with him, but yet they still hired him again to work for  
18 Queensryche.

19 *American Soldier* sold approximately 60k copies. That's less than half of what the  
20 last album *Operation: Mincrime* sold.

### 21 **DEDICATED TO CHAOS ALBUM**

22  
23 As usual, the band continued to submit song ideas to Geoff Tate without any  
24 musical composition or contribution from him. We all worked long hours collectively and  
25 individually for several months.

1 Geoff and Susan Tate insisted on hiring Jason Slater once again, even though  
2 the rest of us disapproved because of the problems we had encountered with him from  
3 before. Our stress levels were high and simply could not voice our opinion on the matter  
4 since they fell on deaf ears if we were heard at all.

5 During the course of recording, Kelly Gray would continue criticizing Geoff Tate's  
6 song selections and decisions and simply said, "This isn't the direction the band should  
7 be going." Kelly Gray had also commented on how he had been underpaid and  
8 mistreated by Geoff and Susan Tate.  
9

10 Our last album called *Dedicated to Chaos* was the band's most criticized effort to  
11 date. It was not well received. This was a band direction Geoff Tate insisted on taking  
12 even though the rest of us had disagreed.

13 Jason Slater refused to sign a producer's credit agreement until we returned his  
14 musical equipment that he personally shipped to Seattle WA. This continued for several  
15 months until it was finally resolved; however, in the process, it caused serious damage  
16 as well within the organization.

17 During the song writing process, I had discussions with Jason Slater regarding  
18 some the compositions for the album while in the studio, and there were quite a few  
19 negative comments regarding Geoff Tate with his vocal ideas and the musical direction  
20 he was taking the band.  
21

### **DEDICATED TO CHAOS SOLD A DISAPPOINTING 20K COPIES**

22 As you can see by Queensryche's last three album releases, sales have declined  
23 significantly during Susan Tate's involvement as band manager, in addition with Jason  
24 Slater's and Kelly Gray's involvement.  
25

1 Kelly Gray had also taken notice of the band's decline in records sales and  
2 direction and commented several times that "Susan Tate as band manager has run out  
3 of gas, and you should considered seeking new band management."

4 Kelly Gray and Jason Slater's relationship while working for the band was filled with so  
5 much animosity and would continuously fire back negativity at each other creating an  
6 unhealthy environment within the bands organization during their involvement with the  
7 band.

8  
9 In the 30 years as a band, we have never submitted a hard copy paper form via  
10 USPS to schedule corporate officers/shareholders meetings. Every meeting has been  
11 scheduled through phone conversations and also, texting and emailing when it had  
12 become available as another form of communications.

13 **TATE MANAGEMENT AND INVOLVEMENT**  
14 **WITH THE QUEENSRYPHE COMPANIES**

15 While on tour a couple of years ago I remember having an argument with Susan  
16 Tate over a tour bus issue and she was quoted as saying..."I have to do what's in the  
17 best interest of MY HUSBAND to keep him happy" instead of saying..."I have to do  
18 what's in the best interest of the BAND!" It obviously shows that she wasn't representing  
19 the band as a whole.

20  
21 The continuous nepotism from Geoff and Susan during her involvement with the  
22 band had caused many arguments, generated more tension and a high level of  
23 emotional stress on Michael, Scott and I.

24 Since January of 2012 a notice of a shareholder and/or corporate officers  
25 meetings (approximately 4-5) were submitted to every band member. Michael, Scott

1 and I were always present at these meetings, however, Geoff refused to take part in any  
2 of them without a valid reason.

3 Michael, Scott and I constantly tried to find ways to minimize cost's, however, at  
4 the same time maximize our dollar. Geoff's idea was always..."why do we need to worry  
5 about cutting cost's...we'll just find a way to just make more money!" Not very good  
6 business sense especially with the economic recession we've been experiencing over  
7 the last 4 years!

8  
9 We had a discussion about the current fan club office situation because it was  
10 costing the band so much money monthly, and especially since we weren't performing  
11 many shows in 2012 we weren't going to generate a lot of revenue. Basically, more  
12 money was going out than was coming in. The idea of hiring an online company to do  
13 this was much more cost effective in comparison. Geoff refused to go along with the  
14 idea because his wife and daughter were on the pay roll. Needless to say, after  
15 eliminating the rental office lease payment, employee payroll, utility expenses and  
16 accounting fee's the bands accountant Neil Sussman was also in agreement of the  
17 amount of money the band would be saving on a yearly basis by switching to an online  
18 merchandise company per an email he submitted to all the band members.

19 From March 2012 till to this day Scott, Michael and I have been denied access to  
20 the bands web site (face book, tweeter, papypal accounts).

21  
22 **REASONS WHY I CANNOT CONTINUE WORKING**

23 **WITH GEOFF TATE IN THE FUTURE**

24 While on tour in 2007, Geoff Tate physically assaulted Scott Rockenfield in the  
25 band's dressing room over another disagreement. He grabbed Scott Rockenfield's

1 laptop and shoved it in his face and proceeded to swing at Scott Rockenfield while  
2 screaming expletives at him.

3 Geoff Tate has made several comments about how he despises the hard  
4 rock/heavy metal genre which is what Queensryche's style has been from the very  
5 beginning.

6 Twice in the fall of 2011 while on tour, Geoff Tate's irrational, violent behavior  
7 surfaced again after a discussion we had regarding songs that fans have been  
8 requesting us to perform for quite a few years. While the rest of the band were in  
9 agreement with the fans, he screamed in disapproval, "I don't want to play those stupid  
10 songs. I didn't write them!" and stormed out of the dressing room in a violent rage.  
11

12 Moments before performing a show in Saul Paulo, Brazil, Geoff Tate physically  
13 assaulted Scott Rockenfield and Michael Wilton several times in front of a dozen  
14 witnesses including the band crew, the opening act, Fates Warning, the local promoter,  
15 his assistant and among a few others. He even told our tour manager after he physically  
16 assaulted Scott Rockenfield and Michael Wilton that "I'm going to F\*\*k with Scott  
17 throughout the show," and was repeatedly spitting on Scott Rockenfield's drum kit and  
18 Michael Wilton's guitars and amplifiers through the course of the night. At the end of the  
19 show, our tour manager told us to not go to our dressing room and go straight to the  
20 vans and to our hotel because he was afraid Geoff Tate would try to physically assault  
21 one of us again. He even had the hotel place security on each floor next to our hotel  
22 rooms that night for our own safety.  
23

24 Geoff Tate's claim regarding Scott Rockenfield's comment ("I've fired your wife,  
25 your daughter and now you're next!") is completely false, and even our band crew who

1 were present at the time of the incident would testify to that.

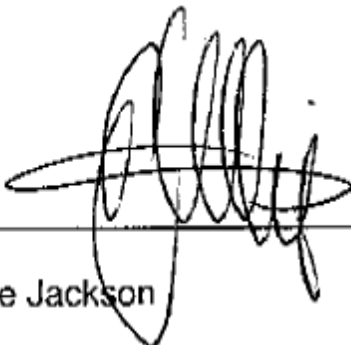
2 Several weeks following the Saul Paulo incident in Brazil at the M3 Festival in  
3 Baltimore MD, Geoff Tate continued to make threats to Scott Rockenfield, Michael  
4 Wilton and I if were to get near him while performing on stage.

5 Another several weeks later, Geoff Tate's rant "you guys suck" to the fans while  
6 performing a show in Oklahoma was extremely unprofessional and has only continued  
7 to damage the Queensryche brand name.

8 Geoff Tate's continued random threats and irrational, violent behavior still poses  
9 a threat to Scott Rockenfield, Michael Wilton and me, and has caused a significant  
10 amount of stress and we therefore cannot continue working with him in the future.

11 Signed this 7<sup>th</sup> day of July 2012, at Snohomish County, State of Washington.

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Eddie Jackson