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Case No. 12-2-21829-3 SEA

DECLARATION OF KELLY GRAY

SUPERIOR COURT CLERK E-FILED

CASE NUMBER: 12-2-21829-3 SEA

## IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

GEOFF TATE and SUSAN TATE, a married couple,

Plaintiffs,

1 Idiliti

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.

v.

I, Kelly Gray, declare as follows:

1. I started with the band in 1998. I started working on Q2K and from that moment on I worked as a songwriter, producer, engineer, guitar player, mixer, and project organizer. I thought I was coming in as a guitar player to add a few ideas and ended up writing the whole album with Geoff. I agreed to share the publishing with everyone in the band in order to be a team player.

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- 2. The guitar players, bass, player and drummer were not available to work and contribute on albums so Geoff and I worked side by side to finish the albums.
- 3. I have done the very large majority of the music, the writing, recording, mixing and producing as well as playing guitar on each record (except <u>Tribe</u> and <u>Operation:</u> <u>Minderime II</u>) for many years.
- 4. I have been asked to produce records but ended up having to provide and perform every aspect of making a record happen almost alone with the exception of concepts, lyrics and melodies, which Geoff provided and outside writing from Jason Slater, Randy Gane, and Mike Stone. I always took the initiative along with Geoff to collect material from these outside writers and performers to finish a project.
- 5. I was hired to be a producer on these many releases and then ended up having to play the majority of the guitar parts due to the fact that the other guitar players did not make themselves available to play nor brought the required materials to finish the release.
- 6. I was constantly up against a deadline and had to fill in for so much that wasn't done by the guitar players in order to get a Queensryche release finished.
- 7. I allowed the guitar players to take credit for what guitars I played many times to cover the fact that the band themselves was not doing the work.
- 8. The scope to which I alone worked with Geoff and outside writers to create and finish recording projects for Queensryche cannot be overstated.

I declare under penalty of perjury of the laws of the State of Washington this \_\_\_\_\_ day of June that the foregoing is true and correct.

Kelly Gray

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