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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,

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.

Case No. 12-2-21829-3 SEA

DECLARATION OF RANDALL RUTHERFORD GANE

I, Randall Rutherford Gane, declare as follows:

1. I first met Geoffery Wayne Tate in 1980. At the time, Geoff was singing with a band called The Mob and I was keyboardist for another band called Myth. After seeing and hearing Geoff perform, my band mates and I thought Geoff would be an ideal fit with our band, as we were not only doing progressive heavy metal, but more importantly were committed to only original material, something The Mob were not and Geoff was also very determined to do.

DECLARATION OF RANDALL RUTHERFORD GANE

1 2. Geoff was with Myth for about a year, when his former band mates in The Mob
2 had put together a four-song original demo and asked him to sing on it, actually there were
3 three complete songs, and one that Geoff eventually co-wrote with them. Over the next several
4 months Geoff began working more and more with The Mob, until one day he announced that
5 he was going to put all his effort into the Mob, as they had management in place and Myth was
6 making little headway.

7 3. Geoff and my friendship survived his leaving Myth and I was later asked to
8 play support keyboards on the 1986-1987 *Rage for Order* tour, and more currently play
9 keyboards on the 2009 *American Soldier* release, and perform keyboards and write music for
10 the 2011 *Dedicated to Chaos* release.

11 4. For the *Rage for Order* tour I first got to see the inner workings of Queensryche.
12 From my perspective the organization basically had two leaders, Chris DeGarmo was the
13 bandleader, and Geoff Tate and Chris DeGarmo together organized "The Show" (the setlist,
14 the staging, the theatrics).

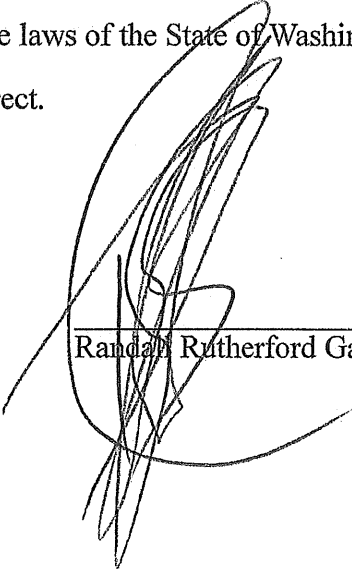
15 5. What I saw later for the *American Soldier* release was very different. I spent a
16 week going to Eddie Jackson's home studio, and in all that time I think I only saw Eddie pop in
17 and do some small talk once, completely absent were Michael Wilton and Scott Rockenfield. It
18 was just Kelly Gray, Geoff, and myself recording tracks and doing initial mixes.

19 6. This was much how it was later on the *Dedicated to Chaos* release with just
20 Geoff, Kelly, and myself, and even though the mixing was done at Eddie's home studio, Eddie
21 wasn't involved or present most of the time, but would occasionally pop in and cook us dinner,
22 and Scott Rockenfield and Michael Wilton were never present. In my working with
23 Queensryche, I saw Geoff work 10-12 hour days, 6-7 days a week months at a time, while on
24 the other hand it appeared that most of the rest of the band always had other obligations that
25 were higher priority, and seemed happy to leave everything for Geoff to do. During the
26 *Dedicated to Chaos* sessions, I spent time over at the Queensryche office and saw Susan Tate,

1 *Dedicated to Chaos* sessions, I spent time over at the Queensryche office and saw Susan Tate,
2 Miranda Tate and Misty Rockenfield working together, and there seemed to be great friendship
3 between them. Also during that time I went on two weekend retreats with both the Tate and
4 Rockenfield families, and all talk of the upcoming release was excited, enthusiastic and
5 positive, and I neither saw nor heard anything to lead me to believe there were any tensions or
6 creative differences.

7 7. Aside from music Geoff and I share many interests including sailing and
8 motorcycling, and we have spent vast amounts of time together throughout our lives. In all this
9 time I have never seen Geoff be violent or known him to be hot headed, and actually know him
10 to be one of the most level headed people I know.

11 I declare under penalty of perjury of the laws of the State of Washington this 11 day of July,
12 2012 that the foregoing is true and correct.

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Randall Rutherford Gane

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