

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GEORGIA
ATLANTA DIVISION

ROD MARQUARDT,

Plaintiff,

v.

STEPHEN KING and
SIMON & SCHUSTER, INC.,

Defendants.

Civil Action No.
1:10-CV-03946-JEC

DECLARATION OF ELIZABETH A. McNAMARA

I, ELIZABETH A. McNAMARA, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a partner at Davis Wright Tremaine LLP, counsel for defendants Stephen King (“King”) and Simon & Schuster, Inc. (“Simon & Schuster”) in the above-captioned proceedings.

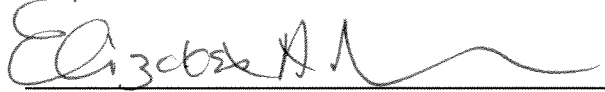
2. I make this declaration for the sole purpose of annexing certain exhibits relied on in support of the motion of Defendants King and Simon & Schuster to dismiss the complaint filed by plaintiff Rod Marquardt (“Plaintiff” or “Marquardt”).

3. A true and correct copy of *Keller’s Den*, a novel written by Plaintiff Rod Marquardt, a/k/a Rod Morgan, is annexed hereto as Exhibit A.

4. A true and correct copy of *Duma Key*, a novel written by King and published by Simon & Schuster, is annexed hereto as Exhibit B.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

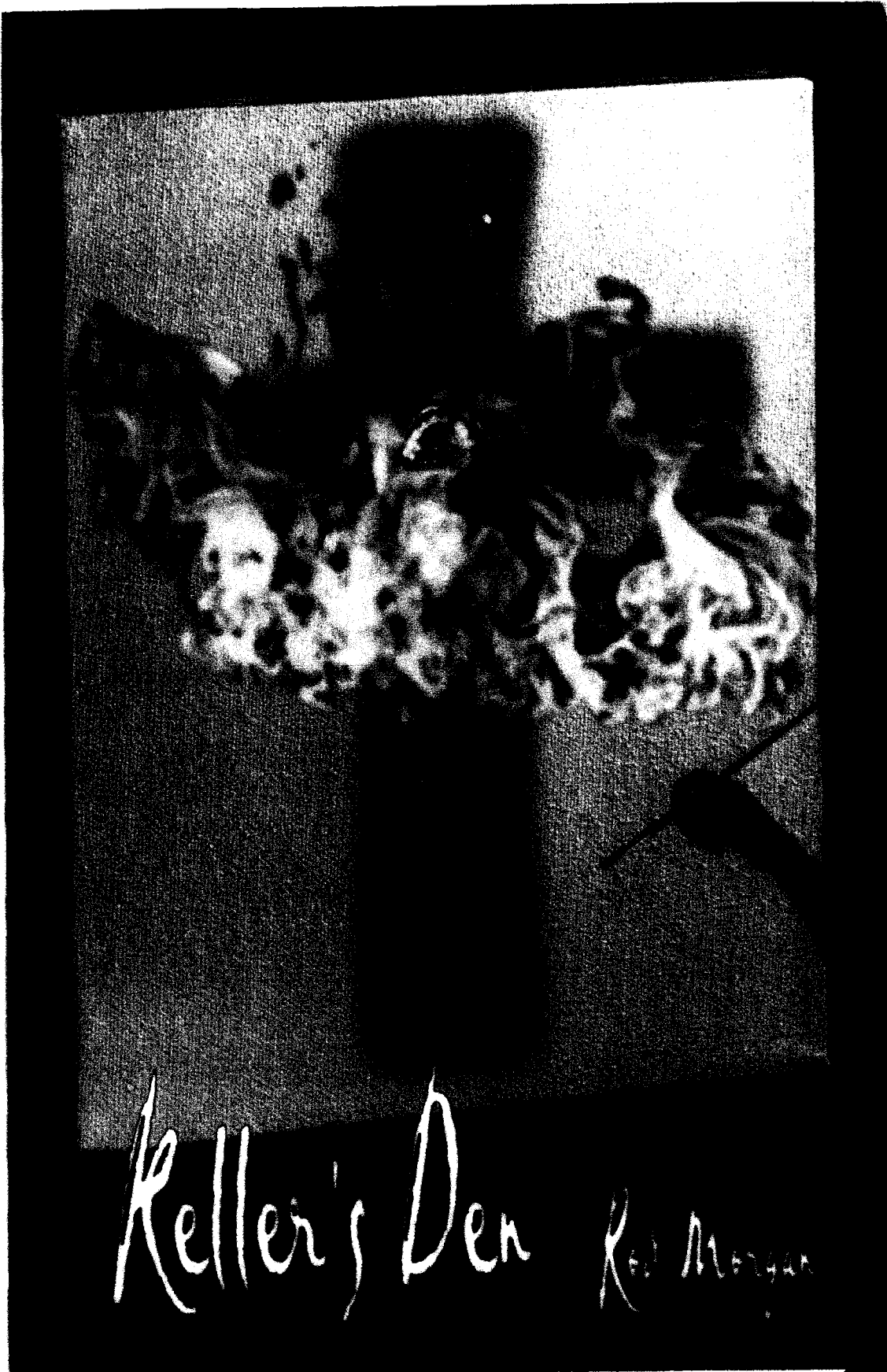
Dated: February 11, 2011
New York, New York

A handwritten signature in black ink, appearing to read "Elizabeth A. McNamara", written over a horizontal line.

Elizabeth A. McNamara (Admitted *pro hac vice*)

EXHIBIT A

This exhibit was filed manually with the Court.



Keller's Den Red Morgan

EXHIBIT

tabbies

A

EXHIBIT B

This exhibit was filed manually with the Court.

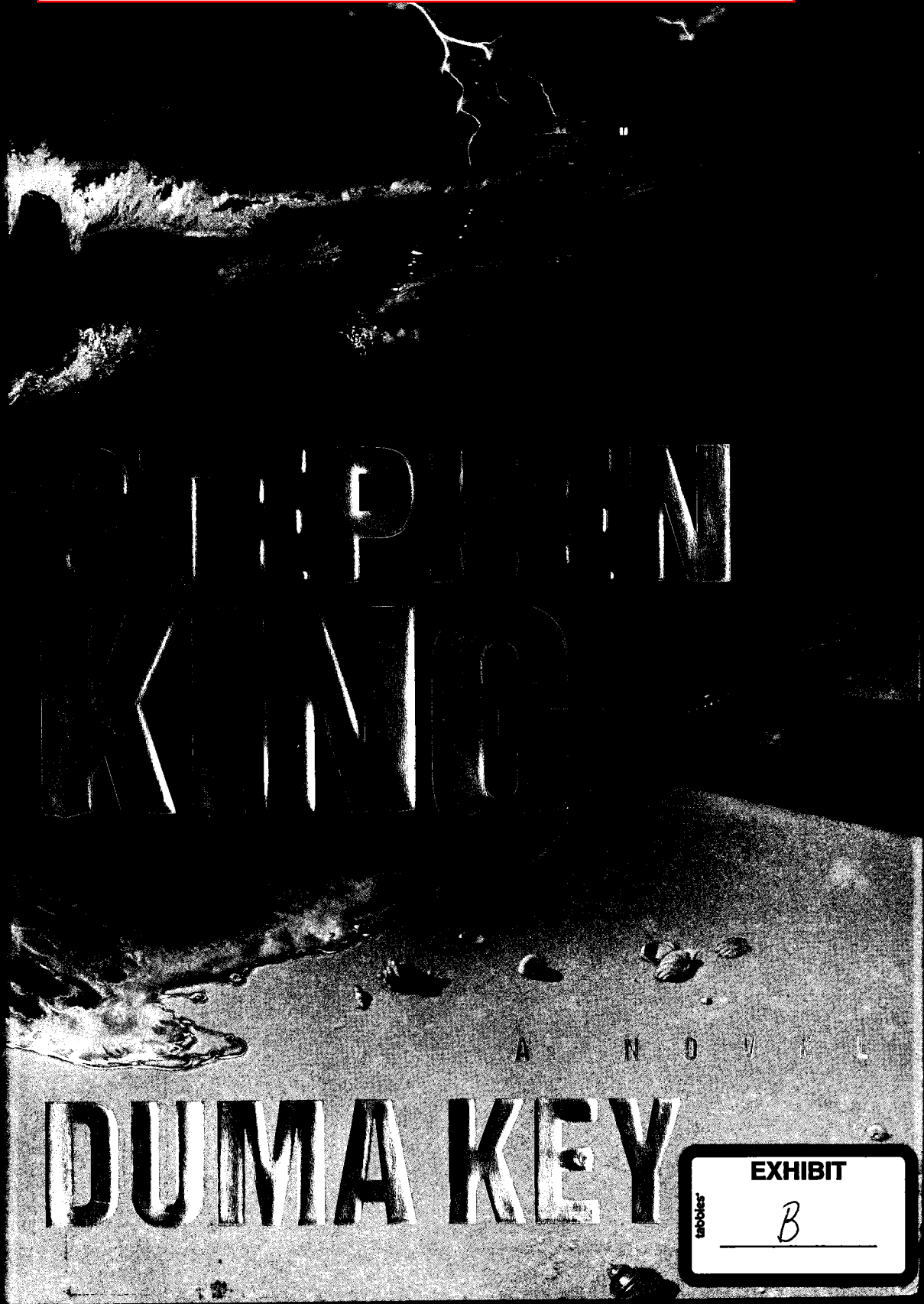


EXHIBIT
B