

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAYME GORDON,

Plaintiff,

v.

DREAMWORKS ANIMATION SKG, INC.,
DREAMWORKS ANIMATION LLC, and
PARAMOUNT PICTURES, CORP.,

Defendants.

C.A. No. 1:11-cv-10255-JLT

DECLARATION

I, Jayme Gordon, declare and state as follows:

1. I make this declaration of my own knowledge.
2. Prior to November 1, 2011, I resided in an apartment at 11301 Chestnut West, Randolph, MA 02368.
3. In mid-late September 2011, my family and I began noticing cars parked outside of our apartment building for hours at a time. This was happening on an almost daily basis.
4. Around September 26, 2011, I was pursued in my car for about 20 minutes, through residential neighborhoods from Randolph to Stoughton, MA, by one of the cars that had been parked outside my building. This pursuit ended in a parking lot that I pulled into in Stoughton, MA, after which I called my wife and son to make sure they were all right and drove home.

5. Later that same day, as my family and I were leaving our apartment building, we passed one of my neighbors who told me that, about a week or so prior, she was questioned by two women who had been knocking on her apartment door. My neighbor told me that these two women showed her a photograph of a man, and asked her if she knew the man in the photograph and whether she had seen that man around the building. My neighbor recognized the man in the photograph as me. She told me that she was under the impression that the women were searching for someone, meaning me, who had done something wrong.

6. In the days following, I was advised by two other neighbors that two women had been in the building and had been asking questions about me.

7. I, my wife, and son were extremely agitated to hear that no less than three of our neighbors had been questioned about me. Also, because my apartment building is locked, it concerned me that that these women had gained entry into the building. It is my understanding that none of the neighbors I spoke to who had been questioned about me had let these women into the building.

8. On October 2, 2011, I had a direct encounter with one of the men surveying me. On this day I was alone, moving my wife's personal belongings into a new home that my family would be moving into. While standing outside the house I noticed a silver Lexus drive up the street towards me. It passed me, turned around in a neighbor's driveway, drove slowly past me again, and parked on the street in front of the house next door. I suspected that the driver of the silver Lexus was an investigator. I immediately called my wife and son to let them know that I was being followed because my first reaction was that my wife or son, who were not with me, were in danger. They each told me they were concerned but were fine. With that assurance I went inside the house for about 25 minutes. When I came back outside, the silver Lexus was

gone. I got into my car to drive back to my apartment building. After I turned onto the main street, the silver Lexus pulled up immediately behind me and was so close to my car that I thought he was going to hit me. At that point, I switched lanes to let the Lexus pass and called my family to let them know that I was being followed. The silver Lexus refused to pass and was driving so slowly that other drivers on the road started to beep at him. I pulled into a gas station and called my wife again to ask her to meet me there, which she did. I noticed that the Silver Lexus, which had driven past the gas station, had at some point turned around because it was parked in an adjacent parking lot. I called my son, who was home alone in our apartment doing his homework, to see if he was safe. He told me that he was and asked me to come home. I asked him to check that the door to our apartment was locked. We stayed on the phone until I pulled into the parking lot of my building. At that point I saw the silver Lexus stopped with its driver's side door opening. I immediately thought of my son. It was obvious to me that the man driving the Lexus had driven straight to my apartment, knowing that my wife and I were not at my apartment, and I believed that this man was going to harm my son. I threw my car in park and yelled at the man in the Lexus. He drove away. I followed him in my car out of my apartment complex to try to get a recording of him and his license plate number, which I did. This encounter was recorded by me and I understand that my video recordings were previously submitted to the Court.

9. I have also been informed that investigators obtained entry into my mother's locked apartment building, where they knocked loudly on my mother's neighbor's doors, and questioned individuals about me. My nephew, David Gordon, lives with my mother, and heard loud knocking on his neighbor's doors. He was upset and distressed about this.

10. On October 8, 2011, a former boss of mine, David Allen, emailed me. A copy of this e-mail is attached to this Declaration as Exhibit A. In this e-mail Dave informed me that, on Saturday, October 8, an investigator came to his house in Burbank, California, asking questions about me; in particular, questions about my employment at a Warner Brothers Studio Store about eighteen years ago, which is around the same time that I last saw Dave. The investigator also asked Dave if he knew anything about my personal life. Dave informed him that he did not. The investigator informed Dave that he was from Thomas Dale & Associates.

11. The activities detailed above caused me such fear for my family and distress that I have been unable to concentrate on much else, including preparing for my deposition.


12. I have seen the letter from the attorneys for DreamWorks dated October 17, where they claim to have stopped these activities as of October 2nd. However, I have been informed that a man was asking about me at a gym that I go to from time to time, around the week of October 3, 2011. Also, on October 23, 2011, I went to the Massachusetts Reptile Expo at the Holiday Inn Hotel in Rockland, Massachusetts. While I was at the Expo, I ran into several old acquaintances from the time that I was on the board, about fifteen years ago, of the New England Herpetological Society, which is a group of reptile and amphibian enthusiasts. At the Expo, I spoke with Joe Martinez, Kurt Schatzl, and Dawn McCall, who told me that they each had been contacted by people asking questions about me.

13. For example, on October 13, 2011, Joe Martinez received an email from a Rose Ryan from Marcum LLP titled "Background History." A copy of this e-mail is attached to this Declaration as Exhibit B. Ms. Ryan's e-mail said that she had been referred to Joe by Kurt Schatzl (who is the current president of the New England Herpetological Society) and asked Joe to call her. Joe informed me that at around the same time he received this "Background History"

e-mail, he had been told by Kurt and Dawn that a person was seeking references on my behalf. Joe telephoned Ms. Ryan thinking that he was doing me a favor. Based on his conversation with Ms. Ryan, Joe was under the impression that I had applied for a new job and that Ms. Ryan was looking for references. .

14. I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 2, 2011



Jayne Gordon

EXHIBIT A

----- Original Message -----

Subject: Warner Bros Studio Store
From: "David Allen" <dma02050@me.com>
Date: Sat, October 8, 2011 7:40 pm
To: info@jaymegordon.com

Hey Jayme,

Not sure if you would remember me or not, but I was the store manager at WBSS in Braintree when it opened. I transferred to Burbank about a year after the store opened and have been living in CA ever since. Just wanted to let you know that a PI swung by my house today, asking questions related to your employment at WBSS (good) and any knowledge I had about your personal life (none). He was from Thomas Dale & Associates. Not sure how they tracked me down out here. I googled your name and saw the Kung Fu Panda lawsuit. I'm guessing he was from the opposition.

Just thought you should know. Let me know if you need any additional information.

Best regards,

Dave Allen

EXHIBIT B

From: "Joe Martinez" <jdmedd50@yahoo.com>
Date: Sun, October 23, 2011 6:45 pm
To: "info@jaymegordon.com" <info@jaymegordon.com>

Hi Jayme,

Found it!

Joe Martinez

----- Forwarded Message -----

From: "Ryan, Rose" <Rose.Ryan@marcumllp.com>
To: "'joe@neherp.com'" <joe@neherp.com>
Sent: Thursday, October 13, 2011 2:00 PM
Subject: Background History

Joe,

Good afternoon. I was referred to you by Kurt Schatzl. I am doing a background history and am wondering if you would be able to spare a few minutes of your time.

If so, please call me at 781/898-8688 at your earliest convenience.

Thank you,
Rose

Rose Ryan
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