

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

REED, et al.,)	
Plaintiffs,)	CASE NO. 1:08CV1761
)	
)	JUDGE CHRISTOPHER A. BOYKO
vs.)	
)	
)	
FREEBIRD FILM PRODUCTIONS, INC.,)	
et al.,)	
)	
Defendants.)	
)	
)	

DECLARATION OF GARY ROSSINGTON

I, Gary Rossington, having been duly sworn, do hereby depose and state:

1. I am a founding member of the musical group Lynyrd Skynyrd. I formed the band with Ronnie Van Zant and Allen Collins. Besides writing songs for the group, I also play lead and rhythm guitar with the group. I have been a part of Lynyrd Skynyrd for more than 35 years.

2. Lynyrd Skynyrd is a world famous musical group known for Southern rock music. Among other songs, the band is known for "Sweet Home Alabama," "Simple Man," "Saturday Night Special," and, of course, the rock anthem, "Free Bird." Lynyrd Skynyrd has, in the aggregate, sold millions of recordings and is regarded throughout the world as an iconic and legendary musical group.

3. I was on the plane that crashed in October 1977.

4. Crash survivors Billy Powell, Leon Wilkeson, and Artimus Pyle and I reformed Lynyrd Skynyrd in 1987, joined by deceased lead singer Ronnie Van Zant's young brother, Johnny Van Zant, on lead vocals.

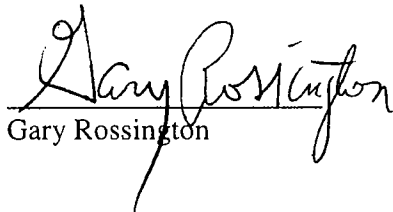
5. At some point, we began using certain film footage shot by our longtime roadie, Craig Reed ("Reed"). We began using Reed's film footage not to earn money from it, but simply because we wanted to show people the historical roots of the band. We wanted to educate younger people about the founding members who tragically died in the plane crash. We wanted to pay homage to those who died. It was special for Johnny Van Zant to see his brother in the film footage and to be able to salute him during the shows. It was special for me as well because I started the band with Ronnie.

6. Reed's film footage was never sold as a stand-alone product and, to my knowledge, it was never used in advertising to promote the sale of any products or of any concerts.

7. Lynyrd Skynyrd's motive in using Reed's footage was not to profit from it, but to remind and educate the band's audiences about the band's founding members who did in the plane crash, and to honor them.

I swear under penalty of perjury that the foregoing is true and accurate to the best of my knowledge and belief.

Dated: January 14, 2009


Gary Rossington