

and a longstanding friend to the organization, Lynyrd Skynyrd would have terminated him prior to 2005 and pursued him like a common T-Shirt bootlegger long ago.


3. The footage shown in a portion of each concert where the deceased Ronnie Van Zant appears on a screen above the stage and appears to sing a duet with his brother, Johnny Van Zant, by means of having a screen placed above the group on stage is "Pepsi" footage from a 1970s San Francisco, California show. This footage is owned by the Lynyrd Skynyrd organization. Other footage of the original Lynyrd Skynyrd band performing back in the 1970s shot by third parties was also used by the Lynyrd Skynyrd organization from time to time. The only Reed footage used by the Lynyrd Skynyrd organization was "behind the scenes" footage, *i.e.*, backstage, on trains, planes, in hotel rooms, etc.

4. I do not recall that any of Reed's footage was ever used in any television ads to promote Lynyrd Skynyrd concerts.

5. I do not recall that the Lynyrd Skynyrd organization ever threatened Reed with termination if he refused to agree to terms regarding the organization's use of Reed's footage.

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

Dated: March 1, 2009


Ross Schilling