

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA**

**CARL EVANS, DONALD SPENCER,
VALERIE SPENCER, CINDY CARTER,
individuals, on Behalf of themselves and for
the Benefit of all with the Common or
General Interests, Any Persons Injured, and
All Others Similarly Situated,**

CIVIL DIVISION

No. 10-cv-1679

Plaintiffs,

v.

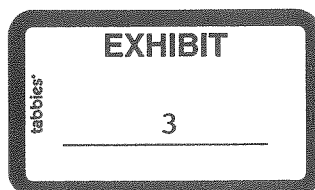
**LINDEN RESEARCH, INC., a corporation,
and PHILIP ROSEDALE, an individual,**

Defendants.

DECLARATION OF DONALD SPENCER

I, Donald Spencer, declare as follows:

1. I am an adult individual and reside at 3795 West Porcupine Lane, Dunellon, FL 34433.
2. I have created an account in Second Life, which is operated by Linden Research, Inc. ("Linden").
3. I read written statements and representations made by Defendants in the media regarding the ownership of virtual property in Second Life.
4. I believed the statements made by Defendants that the virtual items and land I purchased and created in Second Life meant that I owned them.
5. I purchased and created virtual property in Second Life and had my U.S. currency converted to "lindens."



6. I lost a significant amount of money when Defendant Linden improperly confiscated my virtual property and items and money.

7. I believe that Defendant Linden improperly confiscated virtual property and items and money around the same time as Marc Bragg.

8. I have not activated that account again and, as such, I believe it remains subject to the Terms of Service that include the unconscionable arbitration provision.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 28, 2010.


Donald Spencer