

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
IN NASHVILLE**

TAYLOR SWIFT,

Plaintiff

v.

MALCOLM MATTHEWS, et al.,

Defendants

Civil Action No. 3:09-0442

Judge Wiseman

Magistrate Judge Griffin

**FILED UNDER SEAL**

---

**FIRST DECLARATION OF FRANK TRAVATO**

---

I, FRANK TRAVATO, declare that:

1. I make this Declaration in support of Plaintiff's Motion to Extend Temporary Restraining Order and Order of Seizure of Counterfeit Goods. All statements contained in this Declaration are based upon my personal knowledge, and I am competent to testify as to the truth of these statements.

2. I am a security professional with Allegiance Protection Group, Inc. ("Allegiance"). Allegiance has been retained by Plaintiff to provide professional anti-counterfeiting enforcement services during Plaintiff's 2009 concert tour, throughout the United States.

3. As part of my duties, I have been travelling with Plaintiff since May 14, 2009, to provide these services on location at the concert venues. Since May 19, 2009, the date on which this Court granted to Plaintiff a Temporary Restraining Order and Order of Seizure of

**Exhibit A**

Counterfeit Goods, my responsibilities also included working with local law enforcement officers to coordinate enforcement of the Court's Order.

4. These enforcement efforts have involved continuous patrolling of the areas surrounding the concert venues and have resulted in seizure of counterfeit goods.

5. As a result of these efforts at Plaintiff's concert on May 22, 2009, at the Staples Center, in Los Angeles, California, an individual named Edward Friedman, with an address at P.O. Box 15104 N. Hollywood, California 91615 and/or 650 N. Crescent Heights, Los Angeles, California, 90048, was apprehended and arrested by the detectives from the Los Angeles Police Department. The Los Angeles Police Department also seized, as arrest evidence, thirteen counterfeit tee-shirts bearing Plaintiff's likeness and Plaintiff's trademarks.

6. On May 24, 2009, the same individual, "Edward Friedman," was apprehended at Plaintiff's performance at San Diego Sports Arena, in San Diego, California. Mr. Friedman was found in the Arena's parking lot, offering counterfeit tee-shirts for sale. The San Diego law enforcement officers executed the Court's Order and seized thirteen counterfeit tee-shirts, which were hidden on Mr. Friedman's person. Mr. Friedman was offered a copy of the Court's Order, but he refused to accept it. Mr. Friedman also refused to accept a receipt for his counterfeit goods. The seized goods were secured in a container under seal, with Seal No. 0902, and provided to Plaintiff's representative, for further keeping in the custody of the Court, in accordance with the Court's Order.

7. In Plaintiff's efforts to enforce the Court's Order, Plaintiff was extensively supported by the venues' merchandise managers and local law enforcement officers. For example, the merchandise manager of the Staples Center in Los Angeles contacted the private security and the local law enforcement officers to be assigned for the enforcement of the Order.

This resulted in the sending of six off-duty officers and two on-duty detectives from the Los Angeles Police Department-Vice Division. Similarly, on May 21, 2009, for Plaintiff's performance at the Jobing.com Arena in Glendale, Arizona, a sergeant and four detectives from the Glendale Police Department were assigned for this purpose and conducted continuous patrols in the areas surrounding the venue where Plaintiff performed. On May 23, 2009, Plaintiff performed at Mandalay Bay, Las Vegas, Nevada, and the Las Vegas Police Department provided five officers for the enforcement of the Order. The San Diego police department made available six officers for this purpose.

8. In contrast, prior to the entry of the Order, on May 14, 2009, Plaintiff performed at the Spokane Arena, in Spokane, Washington. Plaintiff had to rely solely on the services of Allegiance for the anti-counterfeiting enforcement. During this time, I observed offering for sale of counterfeit tee-shirts, which were surrendered by Brendan Schiff, whose information was gathered from an identification card issued by the State of California, and Melissa Lieberman, who provided an address but refused to provide identification. Mr. Schiff and Ms. Lieberman voluntarily surrendered a total of thirty-two shirts.

9. I encountered Mr. Schiff and Ms. Lieberman again on May 15, 2009, at the Key Arena in Seattle, Washington, selling counterfeit tee-shirts. Mr. Schiff and Ms. Lieberman voluntarily surrendered a total of forty-one counterfeit tee-shirts at this event.

10. I have inspected the counterfeit merchandise that has been recovered at the above events. This counterfeit merchandise is of the same general nature and type as genuine and authorized Plaintiff's merchandise and displays Plaintiff's image, photograph or likeness, as well as Plaintiff's trademarks.

11. However, the design, materials and quality of this counterfeit merchandise are of significantly inferior quality.

12. Based on my experience, without a continued restraining order and an order of seizure, Plaintiff will continue to suffer damage from wide-spread counterfeiting activities at her concert appearances and will be unable to effectively police such activities and enforce her trademark and personal rights.

13. Further, absent such order, law enforcement officers will not extend adequate cooperation to Plaintiff for her anti-counterfeiting enforcement efforts.

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

Executed on May 26, 2009

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

FRANK TRAVATO