

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

TAYLOR SWIFT,

Plaintiff

v.

MALCOLM MATTHEWS, RENEE SUSAN MITCHELL, LOUIS MOORE, MARTIN D. QUATTLEBAUM, MARSHA DYONNE TYLER, VARIOUS JOHN DOES, VARIOUS JANE DOES, and VARIOUS XYZ CORPORATIONS,

Defendants

Civil Action No. \_\_\_\_\_

**JURY DEMAND  
FILED UNDER SEAL**

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**ATTORNEY CERTIFICATION IN SUPPORT OF  
*EX PARTE* MOTION FOR TEMPORARY RESTRAINING ORDER,  
MOTION FOR PRELIMINARY INJUNCTION AND  
APPLICATION FOR ORDER OF SEIZURE OF COUNTERFEIT GOODS**

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I, NATALYA L. ROSE, hereby certify as follows:

1. I am a partner in Milom Joyce Horsnell Crow PLC, attorneys for Plaintiff in this action.
2. I submit this Certification pursuant to Rule 65(b) of the Federal Rules of Civil Procedure and Local Rule 65.01(c), in support of Plaintiff's *Ex Parte* Motion for Temporary Restraining Order, Motion for Preliminary Injunction and Application for Order of Seizure of Counterfeit Goods.

3. Plaintiff has filed this action for, *inter alia*, remedies against Defendants' trademark infringement on and trademark dilution of the Plaintiff's trademarks TAYLOR SWIFT, TAYLOR SWIFT (Stylized), and FEARLESS ("Plaintiff's Trademarks"), in violation of the Trademark (Lanham) Act, 15 U.S.C. § 1051 *et seq.*, and against Defendants' use of counterfeits of Plaintiff's Trademarks, in violation of the Trademark Counterfeiting Act of 1984, 15 U.S.C. § 1116(d) ("Act"). As authorized by the Act, Plaintiff has applied to the Court for an order restraining Defendants' infringing actions and for seizure of Defendants' counterfeit goods, all within a ten-mile vicinity of all concert venues at which Plaintiff will be performing as part of Plaintiff's 2009 Tour.

4. Defendants are individuals and entities who have and will manufacture, distribute, advertise or sell goods bearing counterfeits of Plaintiff's Trademarks ("Counterfeit Goods") in connection with Plaintiff's 2009 Tour.

5. It is common practice of counterfeiters at live entertainment events to set up operations quickly and for a short time, and then vanish with their goods and illegal profits before judicial relief can be sought.

6. It is not possible to notify the unnamed Defendants of the pendency of this Action or Plaintiff's application to this Court, because the identity and whereabouts of the Defendants are presently unknown to Plaintiff.

7. Further, Plaintiff believes that, if notified of the pendency of this action and the nature of the relief sought, Defendants will conceal or relocate their Counterfeit Goods outside the jurisdiction of this Court. Such behavior would make it extremely difficult, if not impossible, for Plaintiff to obtain effective relief.

8. In addition, the Act requires that the requested seizure of Counterfeit Goods remain unpublicized, to prevent Defendants from learning of the existence of this action or any seizure order prior to its execution. 15 U.S.C. § 1116(d)(4)(B)(ii).

9. If Defendants are permitted to engage in their infringing and counterfeiting activities, Plaintiff will be irreparably harmed. Plaintiff will suffer irrecoverable loss of sales of Plaintiff's genuine and authorized merchandise, in undeterminable quantities, and Plaintiff will suffer loss of reputation and goodwill through the sale by Defendants of unauthorized, counterfeit merchandise of inferior quality.

10. Plaintiff has not publicized this action or the nature of relief sought by Plaintiff.

11. No person's legitimate interests will be harmed by the issuance of an *ex parte* temporary restraining order and order for seizure.

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

Executed on May 18, 2009

  
NATALYA L. ROSE