

MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS CITY

ASCENSION ("TINA") WYNGARDEN)
AND BRECK WYNGARDEN,)

Plaintiffs,)

v.)

ENTERTAINMENT COACHES OF)
AMERICA, CHARLIE B. DILLIGARD,)
MARSHALL MATHERS, III, A/K/A)
EMINEM, GOLIATH ARTISTS, PAUL)
ROSENBERG, MARK LABELL, and)
TRACY MCNEW,)

Defendants.)

Cause No. 052-9820

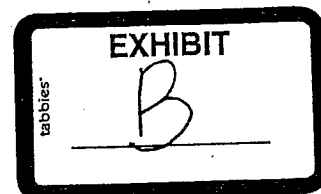
Division No. 1

AFFIDAVIT OF MARSHALL MATHERS, III

COMES NOW Marshall Mathers, III (p/k/a "Eminem"), and being duly sworn deposes and states as follows:

1. My name is Marshall Mathers, III. I am over eighteen years of age and am competent in all respects to make this affidavit.
2. I have personal knowledge to make this affidavit.
3. I am employed as an entertainer, primarily in the music industry.
4. I am domiciled in the State of Michigan.
5. I am not domiciled in the State of Missouri.
6. I do not own real property in the State of Missouri.
7. I have not purposely availed myself to the benefits and protections of

Missouri law.



8. Although I may have performed on stage in the State of Missouri in the past, and may have indirectly benefited from, and continue to indirectly benefit from certain sales within the State of Missouri (such as the sale of songs I have recorded and/or motion pictures I have appeared in), the instant action does not arise out of these limited contacts I have had, or currently have with the State of Missouri.

9. I did not retain the services of Defendant Charlie Dilligard, nor did I lease the tour bus involved in the accident at issue from Entertainment Coaches of America, Inc. ("Entertainment Coaches").

10. Charlie Dilligard has never acted as my agent, and was not acting as my agent at the time of the accident at issue.

11. To the best of my information and belief, I have never met or spoken with Charlie Dilligard.

12. In July, 2005, I participated in a nationwide concert tour featuring a number of prominent music artists. This tour did not include any concerts in Missouri.

13. During this tour, I never traveled by a bus provided by Entertainment Coaches or driven by Charlie Dilligard.

14. I have never given Charlie Dilligard any instructions, directions or orders, and have never asked any other person to communicate with Charlie Dilligard.

15. I have never given Entertainment Coaches any instructions, directions or orders, and have never asked any other person to communicate with Entertainment Coaches.

16. I never exercised any control over Charlie Dilligard or the subject tour bus.

17. During the early evening of July 13, 2005, around the time the subject accident occurred, I was at my home in the Detroit, Michigan area.

FURTHER AFFIANT SAYETH NOT.

Marshall Mathers
Marshall Mathers, III

STATE OF Michigan)
COUNTY OF Livingston)
acting in Macomb

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my official seal this 30 day of September, 2006.

Deborah Sue Torda
Notary Public

My Commission Expires: 2/14/2013