DECLARATION OF EDUARDO ROTHER

1. My name is Eduardo Rother. I am over 18 years of age, a resident of Georgia, and competent to make this declaration.

2. I am co-owner of Apollo Creative, publisher of Inside Archery, located in Woodstock, Georgia. I make this declaration based on my own knowledge, past experience, my review of the business records, discussions with other employees at Apollo Creative, and my duties conducted within the ordinary course of business at Apollo Creative. If called upon, I could and would testify to all facts stated in this declaration.

3. Apollo Creative is a corporation with its corporate headquarters and principal place of business in Woodstock, GA. Inside Archery is a trade magazine produced by Apollo Creative that is mailed out to the archery industry ten times a year.

4. I have worked on Inside Archery magazine since 1999 in various roles within the design and production areas. I am currently the art director of Inside Archery and manage all creative and production aspects regarding the magazine publication.

5. Inside Archery is, and was in the late 2000's a leading publisher in the Outdoor Sports Industry. Inside Archery is the number one trade magazine in the archery industry, reaching manufacturers, retailers and others in archery-related organizations.

6. Inside Archery has published a monthly magazine in print format since 1998 and in additional digital format since 2010. As of December 2008, Inside Archery mailed to approximately 12,000 non-paid subscribers in the archery industry.

7. I have knowledge of Inside Archery's practices for checking in and publishing technical documents, including on Inside Archery's public website: www.insidearchery.com.

8. Articles in Inside Archery are written by either established authors in the industry or by the Inside Archery editor. Articles are included in a given issue based on a yearly plan made between the editor, sales, and production for relevant/topical archery content. This content is published 10 times a year through Inside Archery magazine.

9. Inside Archery's usual practice for print publications, both today and in the 2008-2009 timeframe, is to mail the magazine to retailers, manufacturers, and industry organizations one to two weeks of the month preceding the month of the issue.

10. Inside Archery's usual practice for digital publications, both today and in the 2008-2009 timeframe, is to publish the magazine as a digital PDF format in Inside Archery's website (insidearchery.com) after the print issue has been mailed from the press. An email blast is sent announcing the release of the digital edition.

11. Exhibit 1 hereto is a true and correct copy of a *Bow Report* article titled "2009 Mission Menace" authored by then-editor Bill Krenz that appeared in the December 2008 issue of Inside Archery, which I compared with Inside Archery's records. These records are maintained in Inside Archery's ordinary course of business. When we release an issue, we regularly desposit a copy in these records and maintain them as an archive.

12. In my investigation, I have found nothing to indicate that the December 2008 issue with the "2009 Mission Menace" article did not follow our usual practice for print and digital publications.

13. Exhibit 2 hereto is a true and correct copy of a *Bow Report* article titled "Mathews McPherson Series Monster" authored by then-editor Bill Krenz that appeared in the June 2009 issue of Inside Archery, which I compared with Inside Archery's records.

14. In my investigation, I have found nothing to indicate that the June 2009 issue with the "Mathews McPherson Series Monster" article did not follow our usual practice for print and digital publications.

15. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the full knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on: December 4, 2024

By:

Eduardo Rother
Apollo Creative