

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

Case No. 03-Civ-80515-Hurley/Lynch

KATY JOHNSON,

Plaintiff,

vs.

TUCKER MAX,

Defendant.

DECLARATION OF TUCKER MAX

TUCKER MAX declares as follows:

1. I am the defendant in this action and I have personal knowledge of the facts set forth herein. I operate a website, <http://www.tuckermax.com>, which details many of my personal life experiences.
2. Since the launch of my website on September 9, 2002, computer users have loaded pages from my site more than 16,000,000 times. For purposes of this declaration, I refer to each visit as a "hit." Of the hits my site received since September 9, 2002, more than 15,000,000 have occurred since January 1, 2003 and more than 12,200,000 have occurred since March 1, 2003.
3. Between June 1 and June 26 of this year, my site has received 4,787,860 hits.

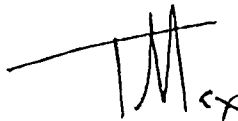
4. In addition, more than 4,000 other websites "link" to my site, which means that these sites provide a hyperlink to my site, allowing computer users to access my site by selecting a reference that directs the users' Internet browser to my site.

5. The average computer user who visits my site views between 7 and 8 pages per visit.

6. I do not sell and have not ever sold any products through my website, and my site does not even have the capability of executing commercial transactions.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 30th day of June, 2003 in Austin, Texas.

A handwritten signature in black ink, appearing to be 'Tucker Max', written over a horizontal line.

Tucker Max