

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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**ELVIS PRESLEY ENTERPRISES, INC.,  
EPPF, LLC and GUESTHOUSE AT  
GRACELAND, LLC,**

**Plaintiffs,**

**v.**

**No. 2:18-cv-02718-SHM-dkv**

**CITY OF MEMPHIS, TENNESSEE,**

**Defendant.**

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**DECLARATION OF JOHN MARSHALL JONES**

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Pursuant to 28 U.S.C. §1746, I hereby declare as follows:

1. My name is John Marshall Jones and I am an adult resident citizen of Memphis, Tennessee and otherwise competent in all respects to make this Declaration. I have personal knowledge of the matters set forth herein, unless otherwise stated specifically.

2. I am a licensed attorney in the State of Tennessee. I am the Chief Litigation Attorney/ Deputy County Attorney for Shelby County.

3. I previously represented and currently represent Shelby County in the two Chancery Court lawsuits filed by Elvis Presley Enterprises, Inc., EPPF, LLC, and Guesthouse at Graceland, LLC (“EPE”) and other matters related to the contract between Memphis Basketball, Shelby County and the City of Memphis governing the FedEx Forum (the “Arena Use Agreement”).

4. In the course of representing Shelby County, I learned that in the summer of 2017, EPE submitted Graceland’s Supplemental Economic Plan, which requested that the Economic Development Growth Engine Industrial Development Board for Memphis and Shelby County

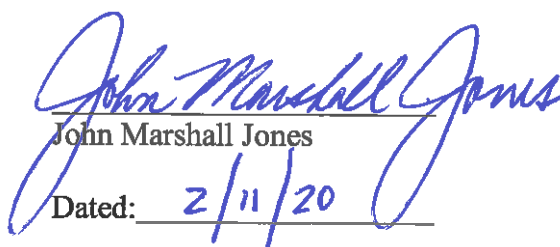
(“EDGE”), the City and the County approve amendments, modifications and supplements to the previously approved Graceland Economic Plan, which includes the construction of a theater facility capable of seating 6,200 persons (the “EPE Arena”). As part of its request, EPE was requesting that the Tax Increment Financing (TIF) rate for the Graceland Project be increased from 50% to 65% to help EPE finance the construction of the EPE Arena.

5. On November 15, 2017, EPE filed a state court lawsuit against the City of Memphis, Shelby County, and Memphis Basketball. This suit was filed in the Chancery Court of Shelby County, Tennessee, No. CH-17-1653-Part II, and was ultimately dismissed by the Chancery Court.

6. In early December 2017, Jonathan Lakey on behalf of the City of Memphis, David Wade on behalf of Memphis Basketball, and the undersigned on behalf of Shelby County entered into an oral joint defense agreement.

7. On June 29, 2018, EPE filed a second Chancery Court lawsuit against the City of Memphis, the Shelby County and Memphis Basketball. This suit was filed in the Chancery Court of Shelby County, Tennessee, No. CH-18-0972-Part II, and is currently ongoing.

FURTHER, DECLARANT SAYETH NOT.

  
John Marshall Jones  
Dated: 2/11/20