

EXHIBIT D

IN THE COURT OF COMMON PLEAS
SUMMIT COUNTY, OHIO
CIVIL DIVISION

ELLORA'S CAVE PUBLISHING, INC.
and
JASMINE-JADE ENTERPRISES, LLC

Case No: CV-2014-09-4421

Plaintiffs,

v.

DEAR AUTHOR MEDIA NETWORK, LLC
and
JENNIFER GERRISH-LAMPE

Defendants.

**DECLARATION OF ROSLYN HOLCOMB IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS' MOTION FOR ENTRY OF A TEMPORARY
INJUNCTION**

I, Roslyn Hardy Holcomb, having personal knowledge of the matters set forth herein and being competent to testify about them if called to do so at trial, state as follows:

1. I began working with Ellora's Cave on January 20, 2013 as an author.
2. My book was released on July 26, 2013, yet I did not receive my first check until October 2013. The amount was small, but I expected that, because it was the first check after release.
3. Most books through Ellora's Cave are sold through third party vendors, including Amazon, Barnes and Noble, ARe, and the like. These vendors pay two months in arrears. So, for a book that was released in July, I understood that I would not receive the bulk of the royalties until November.
4. However, when I received my November check, it was less than \$50 and did not include any third party vendor sales.

5. On December 7, 2013, I sent an email inquiring about third party vendor checks. I was told that the third party vendor checks actually pay three months in arrears, and the check would instead be mailed in December.
6. I am an experienced self-publisher, and I have nine books with another e-publisher. I know that third party vendors always pay two months in arrears.
7. I did not receive a check at all in December.
8. On January 14, 2014, I sent an email to Ellora's Cave to inquire as to why I had not received my December check, which I had been told previously would be mailed in late December.
9. I received no response to that email, so I sent another on January 18, 2014. I received a response on January 22, 2014, which indicated that I should refer to a post on the business loop. This post made reference to problems with a new accounting system and being short staffed.
10. Even though I had been inquiring as to the status of my check for two months, they never previously made mention of these technical difficulties.
11. My check finally arrived March 5, 2014 – three months after the date I was supposed to have been paid. Payments have been erratic since then.
12. I believe that these excuses about the new accounting system, and being short staffed are lies.
13. I think Ellora's Cave is a woefully mismanaged company that benefitted from the stagnant business model in the publishing industry, and then fell prey to the same stubborn inability to change with the times. I also believe they have lied and engaged in deceptive business practices.

14. I was very put off by an interview Ms. Engler did years ago, defending her marriage to a man who had murdered a woman and tried to kill her daughter, and her campaign to get him released from prison. I chose to not work with such a woman.
15. Before this book, I had never submitted anything to Ellora's Cave because they had a well known reputation for being "difficult" to work with. I only submitted my story when I was advised that Ms. Engler no longer had anything to do with the day-to-day operations of the company.
16. In January 2014, I posted an article to another blog warning other authors of Ellora's Cave's business practices.
17. The Dear Author article did not tell me anything I did not already know. Ellora's Cave had been lying to me for more than six months before the Dear Author article was published, my opinion of them was already very low.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge.

Executed this 10/13/2014, in Dunwoody, GA.

DocuSigned by:

Roslyn Holcomb

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Roslyn Hardy Holcomb