

**HOLY GHOST MET MASTER TENANT,
LLP, *et al.*,
Plaintiffs,**

Case Nos. 210302074 and 191201618

COMMERCE PROGRAM

v.

**LIVE NATION ENTERTAINMENT, INC.,
et al.
Defendants.**

CERTIFICATION OF RUTHIE EMBRY

I, Ruthie Embry, being duly sworn according to law, hereby depose and state:

1. I write with respect to a November 27, 2018 email that I authored in my capacity at that time as Project Architect for Atkin Olshin Schade Architects, relating to The Met in Philadelphia.

2. The November 27, 2018 email, addressed to Eric Blumenfeld, states in relevant part:

The total building capacity, including all back of the house spaces, stage, bars, and office, is 7420.

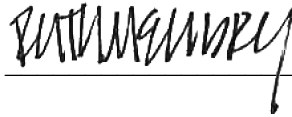
In the auditorium we have 3,042 fixed seats (including ADA and the orchestra removable seats) plus a standing room/loose seat capacity of 1,212. Two balconies over the stage add an additional 358 occupants. This gives us a total capacity of 4,612. If we remove the orchestra seats and make the area standing room, the total capacity becomes 4,870. These numbers do not include the lobby, Grande Salle, or Stage. For a special event, the Lobby Grand Salle, and Stage can also in [sic] used with added capacities of 668, 607 and 521. Include all three spaces, the total capacity is 6,666 occupants.

3. The November 27, 2018 email does not address the *ticketed capacity* of the Premises at The Met.

4. The November 27, 2018 email is not a statement that the Premises at the Met meets the Required Capacity (defined in Section 27.28 of the Event Center Lease as the “*ticketed capacity* of the Premises shall be at least 5,000 people, with such capacity being satisfied through a mixture of seated and standing areas throughout the Premises”).

5. The November 27, 2018 email is not a plan and calculation showing that the Required Capacity is met by the Premises.

I hereby certify that the facts above set forth are true and correct to the best of my knowledge, information and belief.

A handwritten signature in black ink, appearing to read "RUTHIE EMBRY", is written over a horizontal line.

Ruthie Embry