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7

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**  
10

11 BLAKE TOLLISON SHELTON,

12 Plaintiff,

13 vs.

14 BAUER PUBLISHING COMPANY,  
L.P.; BAUER MAGAZINE, L.P.;  
15 BAUER MEDIA GROUP, INC.;  
BAUER, INC.; HEINRICH BAUER  
16 NORTH AMERICA, INC.; BAUER  
MEDIA GROUP USA, LLC, and  
17 DOES 1-20, inclusive,

18 Defendants.  
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Case No. 2:15-cv-09057-CAS-AGR

**DECLARATION OF BLAKE  
TOLLISON SHELTON IN  
SUPPORT OF HIS OPPOSITION  
TO DEFENDANTS' SPECIAL  
MOTION TO STRIKE THE  
COMPLAINT**

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**DECLARATION OF BLAKE TOLLISON SHELTON**

I, Blake Tollison Shelton, declare as follows:

1. I am a party in the above-entitled action. I make this declaration in support of my Opposition To Defendants’ Special Motion To Strike. I have personal knowledge of the facts set forth herein. If called as a witness, I could and would competently testify to the matters stated herein.

2. I am a country singer, songwriter, and television host and mentor on NBC’s *The Voice*. I also do advertising and promotional work for several brands, including Gildan Activewear and Nissan. My managers are Narvel and Brandon Blackstock of Starstruck Entertainment. References to Mr. Blackstock herein shall refer to Narvel Blackstock.

3. On or about September 16, 2015, I learned that *In Touch* magazine had published a cover story with a photo of me and the headline “REHAB For Blake” (the “Rehab Story”). I read the Rehab Story and was furious to see the cover and the way I was depicted in the story itself. As set forth in greater detail below, the Rehab Story was totally false. Not only was I not in rehab or headed to rehab when it was published, but I also do not have a drinking problem. The Rehab Story portrayed me as a man who cannot function, cannot do his job, and is on the brink of death without treatment. To do so, it relied upon, among other things, false anecdotes of excessive drinking and a completely fabricated account of an innocuous trip I took to Mexico with a friend and a married couple with whom we are friends. The wild and crazy “debauchery” described in the Rehab Story did not occur, which is evidenced by the fact that I did not even stay at or visit the ME Melia hotel where, incredibly, *In Touch* reported that “sources” witnessed the alleged out-of-control behavior that is reported in the Rehab Story.

4. It is upsetting to see false information about me on the cover of a tabloid magazine. Sometimes, in the past, I have responded to stories with humor, as I did when it was rumored in the tabloids that I had heart trouble or that my ex-

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1 wife was sending me to rehab. This time, however, a publication said I was actually  
2 in rehab when I was not. It suggested that I was so far in trouble that everybody  
3 around me was considering an intervention and feared I would end up dead. And it  
4 used a completely fabricated version of a two night trip to Mexico with my buddy  
5 and a married couple to support its outlandish claims. All of this was false and went  
6 so far beyond prior stories about me that I had previously denied with humor.

7         5. Further, the Rehab Story came out at a time when I was working on  
8 multiple projects, including *The Voice*, a new album, and multiple brand  
9 endorsements. These projects literally have hundreds of people depending on me to  
10 show up and do my job. The Rehab Story was also published when I was about to  
11 announce that I would be hosting the Nickelodeon Kids' Choice Awards, a popular  
12 awards show for children. Unrebutted, the Rehab Story had the potential to destroy  
13 both known and unknown business opportunities for me. In addition, it is extremely  
14 important to me that I am viewed by those who work with me in any capacity as  
15 somebody who is professional, reliable and a person upon whom they can depend. I  
16 am very much aware that there are numerous people that help me do what I do and  
17 depend upon the continued success of projects that I am a part of. That is not a  
18 responsibility that I take lightly. I felt that the Rehab Story jeopardized both my  
19 personal and professional reputation and that I needed to do everything I could to set  
20 the record straight.

21         6. I did not know ahead of time that the Rehab Story was coming out or  
22 what it would contain.

23         7. Immediately after I read the Rehab Story, I spoke with my manager Mr.  
24 Blackstock and instructed him that I wanted to take legal action. Per my  
25 instructions, my attorney sent Bauer a retraction letter. When no retraction was  
26 forthcoming, I filed a lawsuit.

27         8. Contrary to what *In Touch* reported, I was not in rehab in September  
28 2015. I have never been to rehab, nor have I ever considered going to rehab. I did

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1 not then, nor have I ever, hit “rock bottom.” I do not drink excessively, binge drink,  
2 or have a drinking problem. I do not, as the Rehab Story alleges, drink vodka  
3 before 11:00 a.m. I am never drunk, intoxicated, or unable to perform my job on  
4 *The Voice* or elsewhere. I do not slur my words or stumble when I drink. I have  
5 never urinated on a mailbox in public, or otherwise. I did not start drinking at 14. I  
6 did not start drinking as a teenager. I did not start drinking to cope with my  
7 brother’s death.

8 9. Unlike what is set forth in the Rehab Story, I did not do anything while  
9 “wasted that destroyed [my] marriage.” My ex-wife Miranda Lambert did not catch  
10 me with a bunch of naked women in our Tennessee home one night. Ms. Lambert  
11 did not tape me while drinking and then show me a video of myself the following  
12 day. During our marriage, Ms. Lambert never begged, demanded, or asked me to go  
13 to rehab. I am aware that a tabloid suggested otherwise in 2013. At the time, I  
14 denied this report with humor, stating “...Incorrect. She sent me to the liquor  
15 store!!!” I did not handle my first divorce by drinking, nor has my drinking  
16 increased or escalated since my divorce from Ms. Lambert.

17 10. Contrary to Bauer’s reporting, drinking has not taken a toll on my well-  
18 being. I do not now, nor have I ever had, health problems caused by or related to  
19 drinking. I am aware that, several years ago, a tabloid reported that I had heart  
20 problems from drinking too much. That was false. I have never had, nor do I  
21 currently have, heart problems of any nature, serious or otherwise. At the time that  
22 story came out, I denied it with humor on Twitter by writing “Newest tabloid is that  
23 I’m having heart problems... That’s ridiculous. It’s my liver that’s focked!!!!!!” Of  
24 course, I did not intend this post to actually mean that I was having liver trouble  
25 either.

26 11. The Rehab Story is wrong that my friends, colleagues and team think I  
27 have a problem and need help. To my knowledge, nobody around me, including my  
28 managers, peers and work colleagues, and friends, thinks I have a drinking problem.

1 My friends, colleagues, and members of my team have not expressed concerns to  
2 me about my drinking, have not asked me to go to rehab, have not “begged me” to  
3 stop drinking, and have not even asked me to stop joking about drinking. Neither  
4 my record label (Warner Music Nashville) nor my managers have ever asked me to  
5 change how I act, what I Tweet, or what I say publicly. They also have not  
6 attempted to have an “intervention” with me.

7       12. I do joke about drinking. Drinking or comments about drinking is part  
8 of my schtick with my fans. It is part of my act, part of my performance, but in no  
9 way indicates that I have an actual problem with alcohol. My Tweets are intended  
10 to amuse and get a reaction from my fans. They are exaggerated figments of my  
11 imagination, and, from the reactions I get, I think my fans understand that. For  
12 example, I once Tweeted that I was so drunk “I just defrosted my cat... In the  
13 microwave...” Of course, I did not actually do that. Nor, as I Tweeted several  
14 years ago, did I ever actually walk into KFC, Taco Bell, Radio Shack or a Ford  
15 dealership, pull my pants down and yell a joke. When, in the past, I have Tweeted  
16 that I was shooting a show or performing “drunk,” such Tweets have also been in  
17 jest.

18       13. That I did travel to Cancun, Mexico for two nights in late August 2015  
19 is the only thing that is true about the Mexico portion of the Rehab Story. Contrary  
20 to the Rehab Story, I was not in Cancun for a bachelor party. Instead, I was with my  
21 tour manager Kevin Canady and a married couple who are friends of ours. We  
22 stayed at the Fiesta Americana. My hotel was not an “all inclusive” resort. I am not  
23 aware that my hotel required any guest registration, nor did I have any guests that I  
24 needed to or did register.

25       14. At the Fiesta Americana, I had a regular room, not a suite, that was just  
26 a couple of doors down from Mr. Canady’s. There was no hot tub in my room or on  
27 its balcony. My room was not called a “Passion Suite.” During this trip, I did not  
28 stay at the hotel ME Melia, Cancun or visit it. Mr. Canady paid for both of our

1 rooms at the Fiesta Americana using a business American Express card that my tour  
 2 company Ten Point Tours uses for expenses. We have a receipt from the Fiesta  
 3 Americana reflecting charges for both of our rooms, as well as a copy of bill from  
 4 business American Express card reflecting that we paid for our stay at the Fiesta  
 5 Americana.

6 15. During our time in Cancun, I went with Mr. Canady and our friends to  
 7 a few restaurants, went snorkeling, and went out on boats. One night, our group of  
 8 four met another married couple for dinner and we went to a variety club named  
 9 Coco Bongo for about an hour. Contrary to what is reported in the Rehab Story, I  
 10 did not attend a bachelor party, party with strippers, or go to a strip club during my  
 11 time in Cancun. There were no strippers at Coco Bongo and I did not go to a club  
 12 named Dassan. Unlike what is set forth in the Rehab Story, I did not do tequila  
 13 shots “non-stop” or walk through my hotel lobby carrying two bottles of tequila. I  
 14 did not kiss any women while I was in Cancun. There was no “alcohol-fueled  
 15 rendezvous,” nor did I hook up with any women, let alone multiple women, in my  
 16 hotel room or anywhere else.

17 16. Instead of being in or on my way to rehab in September 2015, as the  
 18 Rehab Story suggests, I was very busy with multiple work commitments, many of  
 19 which required public appearances where press was present. In the Summer of  
 20 2015, I was asked and agreed to host the Nickelodeon Kids’ Choice Awards. In the  
 21 last two weeks of August 2015, I performed voice work for a feature film, filmed  
 22 *The Voice* for four days, did a press junket for *The Voice*, and taped a performance  
 23 at the Grand Ole Opry in Nashville. In September 2015, and immediately on the  
 24 heels of the Rehab Story’s publication, I performed at the iHeart Radio music  
 25 festival in Las Vegas, gave a free concert for 10,000 people in front of my record  
 26 label’s building in Nashville, performed at the Grand Ole Opry, went to a Hall and  
 27 Oates concert and hosted a “#1 Party” to celebrate the most recent five of my twenty  
 28 songs that have reached #1 on the country music charts and to thank the people that



1 worked with me on them. The following month brought further tapings of *The*  
2 *Voice*, a New York press tour for *The Voice* and a promotional taping for the  
3 announcement that I would be hosting the Nickelodeon Kids' Choice Awards.

4 17. In addition to these activities, in September 2015, I was also in the  
5 midst of negotiating an endorsement deal with premium wine and spirits company  
6 Pernod Ricard USA ("Pernod") in connection with Smithworks, a new American-  
7 made vodka. During our negotiations with Pernod, I learned a lot about the strict  
8 regulations that are placed on companies and, in turn, people who are associated  
9 with them, that sell and distribute alcohol. Pernod advised me they would not work  
10 with an alcoholic or somebody who has an unhealthy relationship with alcohol.  
11 Pernod spent a lot of time with me and did a lot of homework to make sure that I  
12 could be a healthy, positive ambassador for its new brand.

13 18. In mid-September 2015, we were still in the midst of negotiations, and  
14 on the verge of closing my deal with Pernod, when *In Touch* published the Rehab  
15 Story. The publication of the Rehab Story stalled our negotiations. Pernod advised  
16 me that it would not move forward with a partnership for promotion of one of its  
17 alcohol brands with an individual who is in rehab or going to rehab. Pernod was  
18 clear with me that it cannot work with an individual who is drunk all the time and  
19 who cannot handle drinking in a responsible manner. I was advised that if the  
20 Rehab Story was true, the deal could not go through.

21 19. By the time Pernod first raised its concerns, I had already asked Bauer  
22 for a retraction. Mr. Blackstock and I told Pernod that the Rehab Story was  
23 completely false and, pursuant to my instruction, Mr. Blackstock sent Pernod a copy  
24 of the retraction letter that I had already sent Bauer. After multiple conversations  
25 and further inquiry by Pernod, Pernod decided to move forward and we closed the  
26 deal, which was publicly-announced on March 1, 2016.

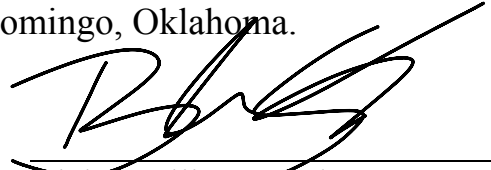
27 20. The Rehab Story quotes a man named Doug Thorburn that it describes  
28 as an "addiction expert." I have never met or spoke with Doug Thorburn. It is my

1 understanding that Bauer purports to support its motion to strike my complaint in  
 2 this action with information from a woman named Aleksandra Wright who, in turn,  
 3 claims she heard information about me from her former fiancé and physical trainer  
 4 Harvey Walden who, in turn, and per Ms. Wright, claims trains me when I am in  
 5 Los Angeles. Apparently Bauer’s reporter claims Ms. Wright told her something  
 6 that I told Mr. Walden. This is impossible, since I have no idea who either Harvey  
 7 Walden and Aleksandra Wright are. I am not a friend (close or otherwise) of  
 8 Harvey Walden and do not train with him when I am in Los Angeles.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed March 16, 2016, at Tishomingo, Oklahoma.



Blake Tollison Shelton

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