

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

COMMUNITY ARTS ADVOCATES, INC.)
And STEPHEN H. BAIRD,)
Plaintiff,)
v.)
CITY OF BOSTON,)
Defendant.)

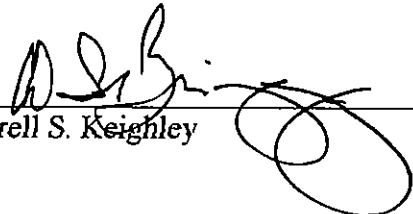
CIVIL ACTION NO. 04-11618-NG

DECLARATION OF DARRELL S. KEIGHLEY

I, Darrell S. Keighley, declare and state as follows upon personal knowledge:

1. I have performed publicly as a street performer since May 2004. I am a vocalist, accompanying myself on acoustic guitar, both of which are amplified. My volume levels are consistant and considerate of the locations I play. My sound source is a battery-powered 50 watt amplifier, with a 10" speaker.
2. During the 2004 performance season, I had a valid Itinerant Musician License.
3. I currently reside in Foxboro, Massachusetts.
4. I have often performed publicly in the streets and parks of the City of Boston (the "City"). In the past I have been told by the City of Boston police that I could not perform in various areas around the City of Boston. In particular, in early July 2004, a police officer told me that I could not play "in sight of City Hall", when I was playing in Sam Adams park, by Fanuel Hall. In addition, on or about April 24, 2005, police claimed there were noise complaints and asked me to move from the corner of Winter Street and Tremont Street. Finally, on or about July 20, 2005, a uniformed officer told me that I could not play my instrument with an amplifier.

Signed under the pains and penalties of perjury, this the 10th day of August, 2005.


Darrell S. Keighley