

EXHIBIT “3”

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA**

NOLEN SCOTT ELY, <i>et al.</i> ,)	CASE NO. 3:09-cv-02284-MCC
)	
Plaintiffs,)	Chief Magistrate Judge
)	Martin C. Carlson
v.)	
)	
CABOT OIL & GAS)	
CORPORATION,)	
)	
Defendant.)	

DECLARATION OF ANTHONY INGRAFFEA

My name is Anthony R. Ingraffea. I am over 21 years of age, and have knowledge of the facts in this Declaration.

1. I am an expert witness on behalf of the Plaintiffs in the federal action *Nolen Scott Ely et al. v. Cabot Oil and Gas Corporation*.

2. On or about February 29, 2016, while in the Courtroom, I observed Cabot's counsel, Lauren Brogdon, encourage Phelim McAleer to initiate a conversation with Leslie Lewis following which he approached Ms. Lewis and said something to her. I could not hear what Mr. McAleer said to Ms. Lewis.

3. On or about March 1, 2016, during a break from the trial for lunch, as I walked along the side ramp in front of the federal Courthouse with Plaintiffs' counsel, Phelim McAleer approached me up close, entered my personal space,

turned on his cell-phone camera and began to harass and provoke me with questions.

4. Mr. McAleer was asked to leave by Plaintiffs' legal counsel and by me, but he refused to leave.

5. Plaintiffs' counsel, Elisabeth Radow, placed herself between Mr. McAleer and me to halt his aggressive invasion of my personal space; with her back to Mr. McAleer we began to return to the federal Courthouse.

6. As we returned to the building, Mr. McAleer continued to film this unwelcome invasion of privacy and repeatedly asked me the same question: "Would you like to apologize to the people of Dimock? Would you like to apologize to the people of Dimock?"

7. Following this incident, Mr. McAleer posted a video of the incident on the Internet and wrote about it in his blog Marcellus Drilling New under the title: *Dimock Trial: Ingraffea Day 2 – Hides Behind a Woman's Coat*.
<http://marcellusdrilling.com/2016/03/dimock-trial-ingraffea-day-2-hides-behind-a-womans-coat/>

8. In connection with my appearance as expert witness in this federal action, I was cross-examined by Defendant's counsel Stephen Dillard.

9. Following the conclusion of my trial testimony, and after I left the Courtroom 2 in the federal Courthouse, I seated myself on a hallway bench, and

was approached by Defendant's counsel Stephen Dillard who initiated a handshake and stated to me: "You are a real pro."

I declare under penalty of perjury that the foregoing is true and correct. *See* 28 U.S.C. § 1746.

Executed on June 10, 2016

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Ingraffea', with a long horizontal flourish extending to the right.

Anthony R. Ingraffea