

EXHIBIT “4”

**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 NOLEN SCOTT ELY

My name is Nolen Scott Ely. I am over 21 years of age, and have knowledge of the facts stated in this Declaration.

1. I am a Plaintiff in the federal action *Nolen Scott Ely et al. v. Cabot Oil and Gas Corporation*.

2. On or about March 2, 2016, after the trial ended for the day, I was having a private conversation with my legal counsel Leslie Lewis and Elisabeth Radow on the sidewalk in front of the federal Courthouse.

3. Phelim McAleer had been waiting on the corner and approached the three of us, entered our personal space, and aggressively interrupted our conversation. He had his cellphone camera in his hand.

4. Mr. McAleer held up his cell phone camera in my face and repeatedly asked me the same question: *“Why do you make your daughter smell your water? Why do you make your daughter smell your water?”*

5. This question from Mr. McAleer related to sworn testimony my daughter Jessica Ely gave in court during cross-examination when she was questioned by Cabot attorney Amy Barrette:

Q: Why did your dad get water last night? Do you know?

A: I guess he wanted us to smell it or something.

Q: I thought you said your daddy wanted to keep you away from the water.

Why would he bring it in there in a jug and have you try to smell it?

A: I don't know. But it doesn't smell normal. I can tell you that.

Q: Did he make you smell it last night?

A: No.

Q: Did he try to get you to smell it?

A: No I wanted to see what it smells like.

Q: Your daddy let you put your face over it?

A: Not have my face over it.

Q: How close did you get to it last night?

A: Wasn't very close. (Notarized Trial Transcript dated, March 2, 2016, Page 207, lines 10-24)

6. Mr. McAleer was asked over and over to leave, but he refused to go. We wanted to continue our conversation before going home for the day but Mr. McAleer made it impossible to stay there without him harassing us, so we all left.

7. My counsel left together and got into a waiting car. I saw Mr. McAleer walk in front of their car and hold his cellphone camera in front of the car's license plate before they drove away.

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 "Nolen Scott Ely", written over a horizontal line.

Nolen Scott Ely