IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

GLADYS ANDERSON, individually and as next friend of F.A., a minor; SCOTT ANDERSON; NANCY DICKERSON; TREVA BRANSCUM; SCOTT LOVELADY; LAVEANE LOVELADY; MICKEY MCMILLEN; TAMMY MCMILLEN; SHERRY NEWTON; BRYAN STIRES; JAMIE STIRES; TOMMY KIRKPATRICK; RYAN LOVELADY; ASHLEY LOVELADY; STAN MCMILLEN; DAVID HARGROVE; RUBY DIANE HARGROVE; REBECCA EDWARDS; RICKEY CARRELL JOYNER; KELLEY TAPLEY; KIM WELTER; SHANE MARKUSON; and DANNY LANE, Plaintiffs,	)	
v.	)	No. 4:23-cv-685-LPR
NEWRAYS ONE, LLC, Defendant.	)	

DECLARATION OF GLADYS ANDERSON

Comes Gladys Anderson, a Plaintiff in the above-captioned case, who states the following unsworn declaration pursuant to 28 U.S.C. § 1746:

1. I am a competent adult resident and citizen of Bono, Faulkner County, Arkansas.

EXHIBIT 1

2. On July 21, 2023, I verified a Complaint that was subsequently filed on behalf of myself and my neighbors against Defendant Newrays One, LLC. In Paragraph 37 of that Complaint, I verified the following statement: "The noise decibel rates outside of the Defendant's facility is 60-70dB and greater 24 hours a day, 7 days a week."

3. On August 14, 2023, a First Amended Complaint was filed on my behalf. Paragraph one of that First Amended Complaint recited that "[t]his case is about the ultrahazardous, dangerous, obnoxious, offensive, damaging, and extremely loud noises and whine being almost constantly emitted in ranges from 53 to 95 decibels by a recently created Arkansas limited liability company's Bitcoin cryptocurrency server farm or 'mine' in Bono, Faulkner County, Arkansas."

4. That August 14, 2023, First Amended Complaint further stated in paragraph 38 that "[t]he noise decibel rates outside of the Defendant's facility is 60-70dB and greater 24 hours a day, 7 days a week."

5. In that First Amended Complaint, I signed Exhibit AA, which was entitled "Affidavit of Separate Plaintiff Gladys Anderson." Attached to that Exhibit were readings I had taken of the decibel ranges I personally recorded which ranged from 43 decibels at a low and 95 decibels at a high, with readings between May 7, 2023 and August 1, 2023.

6. On January 19, 2024, a Second Amended Complaint was filed on my behalf. Paragraph one of that Second Amended Complaint recited that "[t]his case is about the ultrahazardous, dangerous, obnoxious, offensive, damaging, and extremely loud noise and whine being almost constantly emitted in ranges from 53 to 95 decibels by a recently created Arkansas limited liability company's Bitcoin cryptocurrency server farm or "mine" in Bono, Faulkner County, Arkansas, which has caused and is causing damage to surrounding properties and the owners and occupants of those properties."

7. That January 19, 2024, Second Amended Complaint further stated in paragraph 4 certain facts about the experience I have endured due to the noise from the Bitcoin mine, including my description of that noise as a "train constantly running through [my] house and property," and that soon after the mine "began spewing loud and constant high-pitched whines onto [my] property, [I] began leaving televisions on inside [my] home 24 hours per day, seven days per week, with the volume turned up more than double its previous setting, in an effort to mask the noise from the mine."

8. The January 19, 2024, Second Amended Complaint further stated in paragraph 36 that "Sometime after this lawsuit was commenced,

Defendant attempted to erect a partial sound barrier on or about September or October 2023, but that sound barrier has been ineffective and has not eliminated the noise pollution and damage being experienced by the Plaintiffs."

9. The January 19, 2024, Second Amended Complaint further stated in paragraph 38 that "[t]he noise decibel rates outside of the Defendant's facility continues to be 60-70dB and greater 24 hours a day, 7 days a week."

10. The above allegations were true on the date each complaint was filed, to the best of my knowledge, information, and belief based upon my reasonable inquiry. I continued to conduct my own sound readings of the noise I have experienced on my property after August 2023, which confirmed readings above 70 decibels. I stopped taking readings for a period of time but the noise I experienced continued to be essentially unchanged until the weekend before Thanksgiving 2023. For short periods of time after that date the Bitcoin mine's noise decreased some and it also increased and returned to previous levels.

11. I started taking readings again sometime after the motions hearing in January 2024. Those readings further confirm my ongoing experience that the above allegations were true on the date each complaint

was filed, to the best of my knowledge, information, and belief based upon my reasonable inquiry. My readings to-date, after January 2024, have gone as low as 53 decibels and have exceeded 70 decibels.

12. This declaration is given free from any duress, undue influence, promise, or incentive by any person. It is true and accurate.

13. I declare, certify, verify, and state under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of April, 2024.

Gladys Anderson