

**EXHIBIT “4”**

Carolyn J. Johnsen – 011894

cjjohnsen@jsslaw.com

J. Scott Rhodes – 0016721

srhodes@jsslaw.com

**JENNINGS, STROUSS & SALMON, P.L.C.**

A Professional Limited Liability Company

The Collier Center, 11<sup>th</sup> Floor

201 East Washington Street

Phoenix, Arizona 85004-2385

Telephone: (602) 262-5911

Facsimile: (602) 495-2696

*Attorneys for Jerry Moyes*

**IN THE UNITED STATES BANKRUPTCY COURT**

**FOR THE DISTRICT OF ARIZONA**

In re:

DEWEY RANCH HOCKEY, LLC

COYOTES HOLDINGS, LLC

COYOTES HOCKET, LLC and

ARENA MANAGEMENT GROUP,  
LLC,

Debtors

Chapter 11 Proceedings

Case No. 2:09-bk-09488-RTBP

(Jointly Administered)

**DECLARATION OF JERRY MOYES  
REGARDING RESPONSE TO CITY OF  
GLENDALE’S APPLICATION FOR  
ORDER TO SHOW CAUSE**

**Hearing Date: TBD**

**Time: TBD**

Jerry Moyes, under penalty of perjury, states:

1. Since January 24, 2009, I have been Chief Executive Officer (“CEO”) of Coyotes Hockey, LLC (“Coyotes Hockey” or “Phoenix Coyotes”), which owns, manages and operates the Phoenix Coyotes hockey team. I am also a manager, on the Board of Managers, of Coyotes Holdings, LLC (“Coyotes Holdings”), which is the managing member of Coyotes Hockey. I am also Chairman, Chief Executive Officer, and Governor of Coyotes Hockey and have been since January 23, 2009.

1           2.     In addition, in my individual capacity and on behalf of Vicki Moyes and the  
2     Jerry and Vicki Moyes Family Trust, I hold a general unsecured claim against the  
3     Debtors' Estates in the approximate amount of \$104 million.

4           3.     I understand that, on July 31, 2009, attorneys with the Jennings Strouss &  
5     Salmon law firm (which represents me, Vicki Moyes and the Trust) filed an objection to  
6     certain pending motions (the "Objection").

7           4.     At no time prior to the filing of the Objection did I review any draft of the  
8     Objection or any documents to be attached to it.

9           5.     At no time prior to the filing of the Objection did I discuss the contents of  
10    the Objection or any documents to be attached to it with anyone, including, but not  
11    limited to, the attorneys at Jennings Strouss & Salmon.

12          6.     I have not at any time given any instructions or directions to anyone,  
13    including, but not limited to, the attorneys at Jennings Strouss & Salmon, with regard to  
14    the content or statements to be made in the Objection or any documents to be attached to  
15    the Objection.

16          7.     At no time prior to the filing of the Objection did I have any discussions  
17    with or give any instructions or directions to counsel for the Debtors in this bankruptcy  
18    proceeding with regard to the content or statements to be made in the Objection or any  
19    documents to be attached to the Objection.

20          8.     To the best of my knowledge, my counsel, Jennings Strouss & Salmon, did  
21    not have any conversations with Debtors' counsel regarding the content or statements to  
22    be made in the Objection or any documents to be attached to the Objection.

23          9.     I first learned that a document referred to as "Appendix A," which may  
24    have contained material considered to be confidential by the City of Glendale, had been  
25    inadvertently filed in the public records of the bankruptcy court when I received a  
26    telephone call from Peter Sorensen, one of the Jennings Strouss & Salmon lawyers

1 representing me. I received that call shortly after 5:00 PM on Friday, July 31, 2009. Mr.  
2 Sorensen told me that he had just learned that a document I now know to be Appendix A  
3 had been inadvertently attached to the Objection when it was filed in the public records  
4 of the Court. Mr. Sorensen told me that this public filing was accidental and that he had  
5 already taken steps to withdraw the document.

6  
7  
8 Dated August 6, 2009.

9  
10 /s/ Jerry Moyes

11 Jerry Moyes  
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