

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

JEREMY A. MAYFIELD, *et alia*,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK  
CAR AUTO RACING, INC., *et alia*,

Defendants.

Case No. 3:09-cv-00220-GCM

Judge Mullen

AFFIDAVIT OF BARRY EUGENE LEE

COMMONWEALTH OF KENTUCKY )

COUNTY OF DAVIESS )

ss:

I, Barry Eugene Lee, being first duly sworn and cautioned, depose and state upon personal knowledge as follows:

1. I am over the age of eighteen, under no disability and competent to testify to the facts set forth in this affidavit.
2. I am a Kentucky resident.
3. I have known Jeremy Mayfield since at least 1997.
4. I am giving this affidavit concerning my personal knowledge of Jeremy Mayfield's use of methamphetamine. I first saw Jeremy use methamphetamine in the garage at his home on Lake Norman in North Carolina in 1999 as well as on Jeremy's boat on Lake Norman.
5. I saw Jeremy use methamphetamine at least fifty (50) times from 1997 until around 2000. He used it most of the times I saw him in that period.

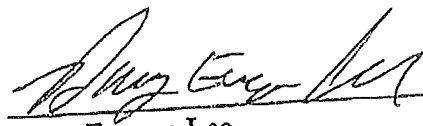
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6. In 1999, I rode with Jeremy on the way to Charlotte Motor Speedway in his truck. At some point, he pulled the truck over and said "you want to hit one?" Jeremy then snorted methamphetamine off a mirror.

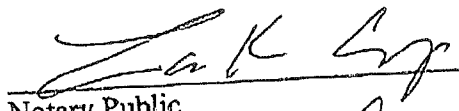
7. One time during race weekend for the Brickyard 400 at the Indianapolis Motor Speedway, Jeremy had a wreck on that track. He had told Shana, his girlfriend at the time and now his wife, to get his underwear from his motorcoach so that Dale Cagle, who was affiliated with Jeremy's race team, would not find the methamphetamine Jeremy had stored there.

8. I have seen Jeremy use methamphetamine at his race shop on Jackson Road in Mooresville, North Carolina, sometimes by snorting it off a piece of metal he could find.

9. I have seen Steve McCain use methamphetamine on several occasions.

  
Barry Eugene Lee

Subscribed and sworn to before me this 27th day of August, 2009.

  
Notary Public Laura Camp

My commission expires: 6-25-12