

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

THIS DOCUMENT RELATES TO:
ALL ACTIONS

STIPULATION AND ~~PROPOSED~~ ORDER

This Stipulation and Agreement is made this 12th day of July 2012, by and among the National Football League and NFL Properties LLC (the "NFL Defendants"), the Riddell Defendants,¹ and, by and through the Plaintiffs' Executive Committee, all Plaintiffs.

WHEREAS, Plaintiffs intend to file, within two business days after entry of this Stipulation and Order, an Amended Master Administrative Long-Form Complaint, which shall supersede the Master Administrative Long-Form Complaint filed on June 7, 2012 (ECF No. 83);

WHEREAS, Plaintiffs, the NFL Defendants, and the Riddell Defendants stipulate and agree that such an amendment is timely as an amendment "as a matter of course" pursuant to Fed. R. Civ. P. Rule 15(a)(1)(B), and will constitute Plaintiffs' sole such permissible amendment as a matter of course pursuant to Fed. R. Civ. P. Rule 15(a)(1);

¹ Riddell Defendants include: Riddell, Inc.; All American Sports Corporation; Riddell Sports Group, Inc.; Easton-Bell Sports, Inc.; Easton-Bell Sports, LLC; EB Sports Corp.; and RBG Holdings Corp.

WHEREAS, Plaintiffs, the NFL Defendants, and the Riddell Defendants further stipulate and agree that the NFL Defendants and the Riddell Defendants do not concede that Plaintiffs' claims have merit, nor do the NFL Defendants or the Riddell Defendants waive any claim or defense against Plaintiffs' claims;

WHEREAS, the Amended Master Administrative Long-Form Complaint adds or revises substantive factual allegations against the NFL Defendants and the Riddell Defendants; and

WHEREAS, Plaintiffs, the NFL Defendants, and the Riddell Defendants recognize that a short extension of time for the NFL Defendants to file their upcoming motion to dismiss on preemption grounds, and for the Riddell Defendants to file their upcoming motion to sever and motion to dismiss on preemption grounds, is warranted to permit the NFL Defendants and the Riddell Defendants to assess the impact, if any, of the substantive amendments contained in the Amended Master Administrative Long-Form Complaint;

NOW, THEREFORE, it is hereby stipulated and agreed by and among the parties and/or their respective counsel as follows:

1. Plaintiffs shall file their Amended Master Administrative Long-Form Complaint within two business days after entry of this Stipulation and Order;
2. All dates with respect to the NFL Defendants' upcoming motion to dismiss on preemption grounds, and the Riddell Defendants upcoming motion to sever and motion to dismiss on preemption grounds, as set forth in Case Management Order No. 2 (as further explained in Case Management Order No. 4 and other subsequent orders) are extended by three (3) weeks, as follows:

| Event | Previous Deadline | Amended Deadline |
|---|----------------------|----------------------|
| NFL Defendants may file a motion to dismiss on preemption grounds and the Riddell Defendants may file a motion to sever and a motion to dismiss on preemption grounds | By August 9, 2012 | By August 30, 2012 |
| Plaintiffs may file responses | By October 10, 2012 | By October 31, 2012 |
| NFL Defendants and Riddell Defendants may file replies | By November 26, 2012 | By December 17, 2012 |

It is so STIPULATED AND AGREED,

By: Chris Seeger *w/permission JK*

By: Sol Weiss *w/permission JK*

Date: July 12, 2012

Date: July 12, 2012

Christopher Seeger
SEGER WEISS LLP
 77 Water Street
 New York, NY 10005
 Phone: (212) 584-0700
 Fax: (212) 584-0799
 cseeger@seegerweiss.com

Sol Weiss
ANAPOL SCHWARTZ
 1710 Spruce Street
 Philadelphia, PA 19103
 Phone: (215) 725-1130
 Fax: (215) 735-2024
 sweiss@anapolschwartz.com

Plaintiffs' Co-Lead Counsel

Plaintiffs' Co-Lead Counsel

By: _____

By: _____

Date: _____

Date: _____

Beth A. Wilkinson
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
 2001 K Street, NW
 Washington, D.C. 20006-1047
 Phone: (202) 223-7340
 Fax: (202) 204-7395
 bwilkinson@paulweiss.com

Paul Cereghini
BOWMAN AND BROOKE LLP
 2901 N. Central Avenue, Ste. 1600
 Phoenix, AZ 85012
 Phone: (602) 643-2400
 Fax: (602) 248-0947
 Paul.cereghini@bowmanandbrooke.com

Counsel for the NFL Defendants

Counsel for the Riddell Defendants

| Event | Previous Deadline | Amended Deadline |
|---|----------------------|----------------------|
| NFL Defendants may file a motion to dismiss on preemption grounds and the Riddell Defendants may file a motion to sever and a motion to dismiss on preemption grounds | By August 9, 2012 | By August 30, 2012 |
| Plaintiffs may file responses | By October 10, 2012 | By October 31, 2012 |
| NFL Defendants and Riddell Defendants may file replies | By November 26, 2012 | By December 17, 2012 |

It is so STIPULATED AND AGREED,

By: _____ By: _____

Date: _____ Date: _____

Christopher Seeger
SEGER WEISS LLP
 77 Water Street
 New York, NY 10005
 Phone: (212) 584-0700
 Fax: (212) 584-0799
 cseeger@seegerweiss.com

Sol Weiss
ANAPOL SCHWARTZ
 1710 Spruce Street
 Philadelphia, PA 19103
 Phone: (215) 725-1130
 Fax: (215) 735-2024
 sweiss@anapolschwartz.com

Plaintiffs' Co-Lead Counsel

Plaintiffs' Co-Lead Counsel

By: Beth A. Wilkinson

By: _____

Date: July 12, 2012

Date: _____

Beth A. Wilkinson
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
 2001 K Street, NW
 Washington, D.C. 20006-1047
 Phone: (202) 223-7340
 Fax: (202) 204-7395
 bwilkinson@paulweiss.com

Paul Cereghini
BOWMAN AND BROOKE LLP
 2901 N. Central Avenue, Ste. 1600
 Phoenix, AZ 85012
 Phone: (602) 643-2400
 Fax: (602) 248-0947
 Paul.cereghini@bowmanandbrooke.com

Counsel for the NFL Defendants

Counsel for the Riddell Defendants

| Event | Previous Deadline | Amended Deadline |
|---|--------------------------|-------------------------|
| NFL Defendants may file a motion to dismiss on preemption grounds and the Riddell Defendants may file a motion to sever and a motion to dismiss on preemption grounds | By August 9, 2012 | By August 30, 2012 |
| Plaintiffs may file responses | By October 10, 2012 | By October 31, 2012 |
| NFL Defendants and Riddell Defendants may file replies | By November 26, 2012 | By December 17, 2012 |

It is so STIPULATED AND AGREED,

By: _____ By: _____

Date: _____ Date: _____

Christopher Seeger
SEEGER WEISS LLP
 77 Water Street
 New York, NY 10005
 Phone: (212) 584-0700
 Fax: (212) 584-0799
 cseeger@seegerweiss.com

Sol Weiss
ANAPOL SCHWARTZ
 1710 Spruce Street
 Philadelphia, PA 19103
 Phone: (215) 725-1130
 Fax: (215) 735-2024
 sweiss@anapolschwartz.com

Plaintiffs' Co-Lead Counsel

Plaintiffs' Co-Lead Counsel

By: _____

By: *Paul Cereghini*

Date: _____

Date: 7/12/12

Beth A. Wilkinson
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
 2001 K Street, NW
 Washington, D.C. 20006-1047
 Phone: (202) 223-7340
 Fax: (202) 204-7395
 bwilkinson@paulweiss.com

Paul Cereghini
BOWMAN AND BROOKE LLP
 2901 N. Central Avenue, Ste. 1600
 Phoenix, AZ 85012
 Phone: (602) 643-2400
 Fax: (602) 248-0947
 Paul.cereghini@bowmanandbrooke.com

Counsel for the NFL Defendants

Counsel for the Riddell Defendants

It is so ORDERED.

7/16/12

Date

Anita B. Brody

/s/ Legrome D. Davis

United States District Judge

J. Davis

ENERGON JUDGE