

**EXHIBIT 20**  
**TO DECLARATION OF O'CONNOR**

ARBITRATION NO. 1310016794

DON NELSON,

Claimant/  
CounterRespondent

vs.

DALLAS BASKETBALL LIMITED d/b/a  
DALLAS MAVERICKS,

Respondent/  
CounterClaimant.

)  
)  
)  
) CIVIL  
) ARBITRATION  
) PENDING BEFORE  
) JAMS  
)  
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VOLUME 1

On the 23rd day of June, 2008, the following proceedings came on to be heard in the above-entitled and numbered cause before the Honorable Glen Ashworth, held in Dallas, Dallas County, Texas, pending before the JAMS.

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A P P E A R A N C E S

APPEARING FOR THE CLAIMANT/COUNTERRESPONDENT:

Mr. Mark T. Davenport  
Mr. Don Colleluori  
Mr. Ryan K. McComber  
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APPEARING FOR THE RESPONDENT/COUNTERCLAIMANT:

Mr. Thomas Melsheimer  
Mr. Geoffrey S. Harper  
Mr. Steven H. Stodghill  
Ms. Natalie Arbaugh  
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1717 Main Street, Suite 5000  
Dallas, Texas 75201

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P-R-O-C-E-E-D-I-N-G-S

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THE ARBITRATOR: Do you intend to invoke the rule through the opening?

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MR. MELSHEIMER: I'm okay with -- my practice would be, it wouldn't apply during the opening statement, but it would just apply during the taking of evidence.

THE ARBITRATOR: Sure.

MR. O'CONNOR: Your Honor, if I could be heard. I'm John O'Connor. I am a lawyer on the case. I'll probably be a witness.

THE ARBITRATOR: That's an exception to the rule. And what that's going to mean for those of you that are going to be witnesses that aren't attorneys in the case, if you are not a party, but rather a witness, you must remain outside the hearing and presence of the arbitration room until your testimony is called for, and you would be instructed that you would not discuss this matter among yourselves or with others, with the exception of your attorneys, until you are released as a witness.

So apparently that's not going to apply during the opening, which I am assuming both of you will make in an amount of time less than 30 minutes each, and then we are going to take a break after the



09:05:29 1 openings. And if you are a witness, if you'd leave and  
09:05:31 2 wait out in the lobby, we'll call for you when your  
09:05:34 3 testimony is needed.

09:05:35 4 On another housekeeping matter, I think  
09:05:38 5 it was the Nelson list of witnesses that I saw that --  
09:05:47 6 am I to understand there is an agreement with regard to  
09:05:49 7 the bifurcation of attorney's fees?

09:05:51 8 MR. COLLELUORI: Yes. I was going to  
09:05:53 9 raise that, Judge. We forgot to mention that on  
09:05:55 10 Friday. If you are okay --

09:05:56 11 THE ARBITRATOR: It's my expectation that  
09:05:58 12 that's what you would prefer to do.

09:05:59 13 MR. COLLELUORI: If you are okay, that's  
09:06:01 14 what we would like to do.

09:06:02 15 THE ARBITRATOR: I'm good with that, and  
09:06:02 16 my thought is we will take that up at the conclusion  
09:06:04 17 after you get your interim ruling, and then probably do  
09:06:06 18 it by submission unless either side wants to hear it.

09:06:09 19 MR. MELSHEIMER: I think that's right.

09:06:11 20 THE ARBITRATOR: Good.

09:06:12 21 MR. COLLELUORI: One last thing, Judge,  
09:06:14 22 we did shortly, probably after our call on Friday, we  
09:06:18 23 did get a stipulation from the Mavericks on just the  
09:06:25 24 numbers involved in deferred compensation for you, and  
09:06:29 25 what -- what that is is through June 30, 2008, the



11:21:41 1 A. I was there eleven years.

11:21:43 2 Q. Did -- were you ever a member of a

11:21:45 3 championship team?

11:21:45 4 A. Yes, sir, five of them.

11:21:46 5 Q. Five of them? And who were some of the

11:21:49 6 players you played with?

11:21:49 7 A. Sam Jones, Casey Jones, John Havlicek, Bill

11:21:55 8 Russell, Tom Sanders, Bailey Howell.

11:21:59 9 Q. When you retired, did you retire from the

11:22:03 10 Celtics in '76?

11:22:04 11 A. I did.

11:22:04 12 Q. And what did the -- did the Celtics retire

11:22:07 13 your number?

11:22:08 14 A. Yes.

11:22:08 15 Q. What was your number?

11:22:09 16 A. Number 19.

11:22:10 17 Q. And if I go to, what is it, Boston Gardens

11:22:13 18 today, can I see that?

11:22:14 19 A. Yes, sir.

11:22:14 20 Q. How many numbers has Boston retired?

11:22:17 21 A. They got a lot of them. I don't know.

11:22:19 22 Q. When did you get into coaching?

11:22:25 23 A. After my retirement, I think it was 1976.

11:22:30 24 Q. And what's the first team you coached?

11:22:32 25 A. Milwaukee Bucks.

11:22:34 1 Q. Did you start out as a head coach or the  
11:22:36 2 assistant?

11:22:37 3 A. Assistant coach.

11:22:38 4 Q. And who were you coaching under?

11:22:39 5 A. Larry Costello, an old NBA player.

11:22:45 6 Q. And how long would you end up coaching at  
11:22:47 7 Milwaukee?

11:22:47 8 A. I ended up being there eleven years.

11:22:50 9 Q. Okay. When you first started being the head  
11:22:51 10 coach of Milwaukee, did you even have a written  
11:22:54 11 contract?

11:22:55 12 A. No. I only had one my last year there when  
11:23:00 13 the owner sold the team. I always worked on a  
11:23:02 14 handshake.

11:23:04 15 Q. After you left Milwaukee, where did you go?

11:23:08 16 A. I went to the Golden State Warriors.

11:23:10 17 Q. How long did you coach at Golden State?

11:23:13 18 A. I coached eight years there.

11:23:15 19 Q. After you left Golden State, where did you go?

11:23:18 20 A. New York Nicks.

11:23:20 21 Q. And about what's this, mid '90s?

11:23:23 22 A. Yeah.

11:23:24 23 Q. Did you ever during this period of time or  
11:23:28 24 thereabouts coach an Olympic team?

11:23:31 25 A. A world championship, it wasn't the Olympics.



11:23:34 1 Q. It was a world championship team? And how did  
11:23:39 2 you do?

11:23:39 3 A. We won a gold metal.

11:23:41 4 Q. Okay. Let's go back to, when did you -- how  
11:23:44 5 long were you at the Nicks?

11:23:45 6 A. About half a season.

11:23:47 7 Q. And then what did you do after that?

11:23:49 8 A. I went to Maui. I got fired, and I went to  
11:23:53 9 Maui.

11:23:54 10 Q. All right. Tell Judge Ashworth how you came  
11:23:57 11 to be associated with the Mavericks.

11:24:00 12 A. Well, I was in Maui, and Frank Zaccanelli was  
11:24:06 13 looking for a man, and he had a PR guy, I think, that  
11:24:10 14 was familiar with me. And they found out where I was  
11:24:14 15 and asked if they could come and visit with me.

11:24:16 16 Q. And how did the negotiations go?

11:24:18 17 A. Good.

11:24:20 18 Q. Did they end up -- fast forward here, did you  
11:24:24 19 end up negotiating with the Mavericks to become their  
11:24:27 20 general manager?

11:24:29 21 A. They asked me to come and meet Ross Perot. I  
11:24:33 22 think Frank wanted to hire me, and -- but he needed me  
11:24:35 23 to sit with Ross Perot. And so I flew into Dallas, and  
11:24:41 24 Ross gave me a ride on his helicopter, and the fact  
11:24:46 25 that I went in his helicopter, he hired me.

11:24:49 1 Q. Did he fly it?

11:24:50 2 A. Yes, sir.

11:24:51 3 Q. When you got to the Mavericks, then -- so your  
11:24:54 4 first contract with the Mavericks would have been the  
11:24:56 5 one we were talking about with Mr. Zaccanelli in  
11:24:59 6 February of '97. Now, to the extent you need to look  
11:25:04 7 at these documents, I know you don't read a lot of  
11:25:07 8 contracts or anything, but if you need to look at them,  
11:25:10 9 they are in front of you, so if you need to look --

11:25:11 10 A. All right.

11:25:12 11 Q. Tell the court generally when you negotiated  
11:25:15 12 your first contract, what -- what were you are going to  
11:25:16 13 do; what was your job?

11:25:18 14 A. I was going to be the general manager.

11:25:20 15 Q. What kind of shape were the Mavericks in when  
11:25:23 16 you first came aboard?

11:25:24 17 A. Well, they had a bad team, a bunch of  
11:25:27 18 disgruntled players. They had just traded their best  
11:25:32 19 player Jason Kidd away, and they were having a very  
11:25:35 20 poor year.

11:25:36 21 Q. Do you know if in '97 Mr. Perot was already  
11:25:40 22 thinking about changing arenas?

11:25:43 23 A. I don't believe I did.

11:25:45 24 Q. So did you have an attorney at that time?

11:25:48 25 A. Yes, John O'Connor.