

EXHIBIT N

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION
3 - - - - - x
4 IN RE NCAA STUDENT-ATHLETE :
5 NAME AND LIKENESS LICENSING :Case No.
6 LITIGATION :4:09-CV-1967-CW
7 :
8 :
9 - - - - - x

10 ***VOLUME II***

11 March 1, 2014

12 Continued Videotaped Deposition of
13 PATRICK MAYNOR, taken pursuant to notice, held at
14 Schiff Hardin, 666 Fifth Avenue, New York, New York,
15 commencing at 10:41 a.m. before Jamie I. Moskowitz,
16 a Registered Professional Reporter and Notary
17 Public.
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Designation Color Key
Blue = NCAA Affirm Designs.
Orange = Pls' Counter Designs.
Fuchsia = NCAA Rebuttal Designs

1 Q Say that again?

2 A People who are already on scholarship?

3 Well, they are already on scholarship.

4 Q Is scholarship compensation?

5 A Is it compensation? I'm not sure if
6 that's classified as compensation. I don't know.

7 Q Well, when you said that basketball
8 players should be compensated for appearing on live
9 television, did you think of scholarship as
10 something that qualifies as compensation?

11 A No.

12 Q What did you think of as qualifying
13 for compensation?

14 A Some type of benefit.

15 Q Is a scholarship not a benefit?

16 A Someone is already on scholarship
17 regardless of if they're broadcasted or
18 rebroadcasted, so those are two separate things in
19 my opinion.

20 Q Did you receive a scholarship for
21 attending Stanford?

22 A I did.

23 Q For all five years?

24 A I did.

25 Q A full ride for all five years?

1 A I did.

2 Q Did you graduate from Stanford with
3 any debt?

4 A No.

5 Q Did you consider yourself fortunate to
6 graduate from Stanford with no debt?

7 A I was fortunate, yes.

8 Q Did you have friends who graduated
9 with debt?

10 A At Stanford? I don't know.

11 Q You never asked your friends whether
12 they graduated with debt?

13 A My friends, no, that never came up.

14 Q And you were able to graduate from
15 Stanford without debt because you were provided an
16 athletic scholarship for all five years when you
17 were at Stanford, correct?

18 A Correct.

19 Q You didn't have a academic
20 scholarship?

21 A It was an athletic scholarship.

22 Q And it wasn't based on the fact that
23 your parents couldn't afford to pay for school, it
24 was based on your playing football, right?

25 A It was a combination of athletics and

1 A Buddy Stevens was the coach my
2 freshman year.

3 Q Buddy?

4 A Stevens.

5 Q So as a class representative, you're
6 asking the court to strike down the rule that would
7 prohibit payment of men's football and men's
8 basketball players for appearing in live televised
9 broadcast; is that correct?

10 A Correct.

11 Q If that rule were gone, does that mean
12 that coaches could negotiate payment for appearance
13 in live televised games when they are recruiting
14 high school seniors?

15 A I don't know.

16 Q Have you given any thought to what the
17 consequences would be for high school recruiting if
18 were you to prevail in this lawsuit?

19 A I have not.

20 Q Tell me about your high school
21 recruiting experience. Did coaches visit you to try
22 to persuade you to join their football programs?

23 MR. STUCKEY: I'm going to object to
24 the extent that these questions go beyond the
25 scope of the magistrate's order. They are not

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1 A I don't think it would distract from
2 academics. I don't know how long a contract would
3 take to negotiate. I have done a contract in ten
4 minutes before. So like I said, contracts vary, the
5 time varies, so I don't know how long that contract
6 would take to negotiate. But personally, I don't
7 think it would detract myself from academics.

8 Q So you were an economics major at
9 Stanford?

10 A I was.

11 Q Did anyone at Stanford ever steer you
12 towards classes that were easy to pass?

13 A There wasn't really easy classes at
14 Stanford. I'm not sure what you mean by steer you
15 towards easy classes.

16 Q Did you choose the classes at Stanford
17 that you wanted to take?

18 A That are required for my major, yes.

19 Q Did anybody at Stanford ever tell you
20 because you're a football player, you need to take
21 these easier classes?

22 MR. GREENFOGEL: Objection as to form,
23 relevance. What does this have to do with live
24 broadcast?

25 MS. LUEDTKE: This goes to his college

1 experience and what would have happened if he
2 had been paid for live broadcast during that
3 experience.

4 BY MS. LUEDTKE:

5 Q You can answer the question.

6 MR. GREENFOGEL: It really doesn't.
7 It really doesn't. You're getting really far
8 afield here.

9 BY MS. LUEDTKE:

10 Q You can answer the question.

11 A Can you repeat the question, sorry, I
12 forgot.

13 MS. LUEDTKE: Could you read back the
14 question?

15 (Whereupon the testimony was read back
16 as requested.)

17 **THE WITNESS: Not that I can remember.**

18 BY MS. LUEDTKE:

19 Q Did anybody -- did Stanford provide
20 any academic assistance programs for you as a
21 football player?

22 A What do you mean by academic
23 assistance program?

24 Q Did the athletic department provide a
25 tutor that you used?

1 A You could sign up for tutors.

2 Q Through the athletics department?

3 A Yes.

4 Q Did you ever use a tutor provided
5 through the athletics department?

6 A I did.

7 Q In what classes?

8 A I don't recall the exact classes.

9 Q And was that a benefit that was
10 provided to you as a football player that would not
11 be provided to nonathletes?

12 A I'm not sure if nonathletes had access
13 to tutors or not.

14 Q Did the tutors you used through the
15 athletics department help you in your studies?

16 A They did.

17 Q Were there any other academic programs
18 provided to you through the athletics department?

19 A Academic programs? Not that I can
20 remember.

21 Q Were there special study facilities
22 for the football team?

23 A For the football team specifically?

24 No.

25 Q Were there special study facilities

1 for athletes at Stanford?

2 A There was a computer room with
3 computers and tables.

4 Q That were specifically for athletes?

5 A Yes.

6 Q Where was it?

7 A One of the buildings on campus. I'm
8 not sure exactly where it was. It was somewhere on
9 campus. I forget exactly where it was.

10 Q Did your coach encourage you to go to
11 class?

12 A Yes, yes.

13 Q Did your coach -- you had three
14 different coaches at Stanford. All three of those
15 football coaches encouraged you to attend class?

16 MR. GREENFOGEL: At the risk of being
17 repetitive, what does this have to do with live
18 broadcast?

19 MS. LUEDTKE: This all goes to what's
20 going to get cut and changed if they're paid
21 for live broadcast.

22 BY MS. LUEDTKE:

23 Q You can answer the question.

24 MR. GREENFOGEL: No, he can't answer
25 the question until you tell me what this has to

1 do with live broadcast?

2 MS. LUEDTKE: Academic support
3 services and the focus on academics will be
4 changed if he prevails in his live broadcast
5 claim. This was all set forth in our brief.

6 MR. GREENFOGEL: I'm just telling you
7 this has absolutely nothing to do with live
8 broadcast. You are just so far afield at this
9 point that it's ridiculous.

10 BY MS. LUEDTKE:

11 Q You can answer the question.

12 A What was the question?

13 MS. LUEDTKE: Can you read it back?

14 (Whereupon the testimony was read back
15 as requested.)

16 THE WITNESS: They all stressed the
17 importance of academics, which included going
18 to class, yes.

19 BY MS. LUEDTKE:

20 Q What other services were provided to
21 you in an academic realm, because you were an
22 athlete, other than tutors and the special computer
23 room?

24 A Nothing that I can remember.

25 Q Did the athletics department provide

1 career counseling to help you find a job after
2 graduation?

3 A The school did, I don't believe that
4 was limited to athletics.

5 Q For the football team, was there a
6 special athletics trainer? Well, strike that.

7 For the football team, was there a
8 special strength trainer, a strength coach?

9 A There was.

10 Q Were there nutritionists?

11 A He was also nutritionist, the strength
12 coach and nutritionist.

13 Q Combined in one job?

14 A Correct.

15 Q And did you receive information in
16 support as a football player from this person who
17 was both a strength coach and a nutritionist?

18 A Information with regards to nutrition?
19 Yeah.

20 Q And did he help you design a training
21 regime that would focus on strength?

22 A Among other things, yes.

23 Q What other services did you receive
24 from this person who was a strength coach and
25 nutritionist?

1 A Well, I meant strength wasn't the only
2 part of the program is what I meant. It could be
3 endurance, stuff like that.

4 Q In the offseason, did Stanford provide
5 facilities that were open only to athletes for
6 purposes of training and conditioning?

7 A I believe the way it ran was for
8 athletes only, the varsity weight room.

9 Q Was it for football players only or
10 for all varsity athletes?

11 A It was not for football players only,
12 it was a couple of different sports. I'm not
13 exactly sure which sports it is, but it was a
14 handful of sports could work out there if you're on
15 the team.

16 Q Did Stanford provide you with medical
17 care while you were a student athlete?

18 A If you had injuries, yes.

19 Q Was there ever medical treatment you
20 needed at Stanford that Stanford did not provide to
21 you?

22 A Not that I can remember.

23 Q You made an effort to go pro after
24 college, right?

25 A Correct.

1 A I had not.

2 Q Do you continue to watch Stanford
3 football games when they are on television here in
4 New York?

5 A I do.

6 Q And let's say in the last season, what
7 percentage of the televised Stanford games do you
8 think you watched?

9 A Maybe half.

10 Q At Bank of America, have you ever
11 hired a Stanford football player?

12 A I don't have the ability to hire or
13 fire, so...

14 Q Do you think your experience playing
15 football at Stanford helped you get your job at Bank
16 of America?

17 A My skills, having that skill set
18 helped getting a job.

19 Q What skill set?

20 A Being part of the team.

21 MS. LUEDTKE: Let's go off the record.

22 THE VIDEOGRAPHER: We're going off the
23 record. The time is 12:31 p.m.

24 (Whereupon, a short break was taken.)

25 THE VIDEOGRAPHER: We are back on the

1 BY MS. LUEDTKE:

2 Q You don't know whether \$150 million
3 would be a fair number for the amount you should
4 receive over and above the 5 years of full ride
5 scholarship that you already received?

6 MR. STUCKEY: Objection, form.

7 THE WITNESS: Like I said, I don't
8 know what the number is, so...

9 BY MS. LUEDTKE:

10 Q And you don't know where this money
11 will come from, that you're seeking for this
12 additional compensation, for appearing in live
13 broadcast football games?

14 MR. STUCKEY: Objection, form, asked
15 and answered.

16 THE WITNESS: I do not know where
17 exactly it will come from, no.

18 BY MS. LUEDTKE:

19 Q And you haven't given any thought to
20 whether that money might come from the support
21 provided to women's sports at Stanford?

22 MR. STUCKEY: Objection to form, asked
23 and answered.

24 THE WITNESS: I have not.

25

1 BY MS. LUEDTKE:

2 Q Was the degree you received from
3 Stanford valuable to you in your career as a banker
4 here in New York?

5 A I'm not a banker, but yeah, of course
6 it is valuable.

7 Q What, you're a sales and trader?

8 A Uh-huh.

9 Q How do you describe your job now?

10 A Well, I'm a sales trader.

11 Q Was your degree from Stanford valuable
12 to you in your sales trader job at Bank of America
13 here on Wall Street in New York?

14 A Was it valuable? Sure.

15 Q Did it open up opportunities to you to
16 be a sales trader here on Wall Street in New York?

17 A My degree from Stanford, did that open
18 up opportunities? Sure.

19 Q Are you thankful for your education
20 that you received at Stanford?

21 A Yes.

22 Q Was it a high quality education?

23 A I believe so.

24 Q Stanford is one of the best schools in
25 the nation, right?

1 A It's one of the top schools.

2 MS. LUEDTKE: I don't have any further
3 questions for this witness.

4 We will go off the record. Thank you
5 very much, Mr. Maynor, for your time.

6 THE VIDEOGRAPHER: We are going off
7 the record. The time is 12:46 p.m. This is
8 the end of tape 2.

9 (Whereupon, the deposition concluded at
10 12:46 p.m.)

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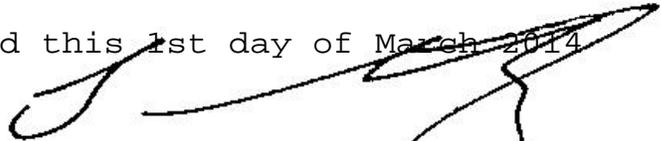
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C E R T I F I C A T E

I, Jamie I. Moskowitz, a Shorthand
(Stenotype) Reporter and Notary Public, do hereby
certify that the foregoing Deposition, of the
witness, PATRICK MAYNOR, taken at the time and place
aforesaid, is a true and correct transcription of my
shorthand notes.

I further certify that I am neither
counsel for nor related to any party to said action,
nor in any way interested in the result or outcome
thereof.

IN WITNESS WHEREOF, I have hereunto set
my hand this 1st day of March 2014



Jamie Ilyse Moskowitz
License No. XI01658