

EXHIBIT Y

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

in re NCAA Student-Athlete Name and
Likeness Licensing Litigation

Case No.
09-cv-1967-CW

* MAY CONTAIN CONFIDENTIAL INFORMATION *

- - -

VIDEOTAPED DEPOSITION OF
ROBERT TALLENT
DECEMBER 1, 2011
9:00 A.M.

KILPATRICK TOWNSEND & STOCKTON, LLP
1100 PEACHTREE STREET, SUITE 2800
ATLANTA, GEORGIA

REPORTED BY:

STEVEN S. HUSEBY, RPR
CCR-B-1372

Designation Color Key
Blue = NCAA Affirm Desigs.
Orange = Pls' Counter Desigs.
Fuchsia = NCAA Rebuttal Desigs

1 MR. SLAUGHTER: James Slaughter, 09:15:37
2 Keker & Van Nest, on behalf of Electronic 09:15:38
3 Arts. 09:15:40
4 MR. BOARDMAN: Thomas Boardman, 09:15:40
5 Pearson, Simon, Warshaw & Penny, on behalf of 09:15:41
6 the antitrust Plaintiffs. 09:15:44
7 MR. CLOBES: Bryan Clobes, 09:15:46
8 Cafferty Faucher, on behalf of the Plaintiffs. 09:15:47
9 MR. BOARDMAN: Anyone on the 09:15:50
10 phone? 09:15:51
11 MR. ARAGON: Yes. Leonard Aragon, 09:15:51
12 Hagens, Berman Sobol, Shapiro, Right of 09:15:53
13 Publicity Plaintiffs. 09:15:55
14 ROBERT TALLENT, 09:15:55
15 being first duly sworn, was examined and 09:15:55
16 testified as follows: 09:15:55
17 EXAMINATION 09:16:07
18 BY MR. CURTNER: 09:16:07
19 Q. Good morning, sir. I'm Greg Curtner. 09:16:08
20 Would you state your full name for the record, 09:16:11
21 please. 09:16:14
22 A. Robert Jones Tallent. 09:16:14
23 Q. Where do you live, sir? 09:16:17
24 A. I live in Arlington, Virginia. 09:16:18
25 Q. You're a resident of Virginia? 09:16:22

| | | | |
|----|----|--|----------|
| 1 | A. | No. | 09:17:34 |
| 2 | Q. | I noted in something that you spent | 09:17:34 |
| 3 | | time in Florida. Are you a resident of | 09:17:39 |
| 4 | | Florida or have you ever been? | 09:17:41 |
| 5 | A. | No. | 09:17:44 |
| 6 | Q. | Do you own some property in Florida? | 09:17:45 |
| 7 | A. | I do own two lots in Lehigh Acres, | 09:17:48 |
| 8 | | Florida that were given to me from my dad. | 09:17:55 |
| 9 | Q. | And do you spend some wintertime in | 09:17:58 |
| 10 | | Florida? Do you play golf there? | 09:18:00 |
| 11 | A. | I visit my brother in Orlando once a | 09:18:02 |
| 12 | | year in February for about five days. That's | 09:18:09 |
| 13 | | about it. | 09:18:14 |
| 14 | Q. | Not long enough to call it home, huh? | 09:18:15 |
| 15 | A. | No. I wish. | 09:18:18 |
| 16 | Q. | So let me see if I can sort of get the | 09:18:20 |
| 17 | | overview of your career and then we can go | 09:18:23 |
| 18 | | back and try to fill in some details. | 09:18:27 |
| 19 | | You grew up in Kentucky and played high | 09:18:30 |
| 20 | | school basketball in Kentucky, correct? | 09:18:33 |
| 21 | A. | Yes. | 09:18:35 |
| 22 | Q. | What high school? | 09:18:36 |
| 23 | A. | Maytown High School. | 09:18:36 |
| 24 | Q. | And that's in Maytown, Kentucky? | 09:18:40 |
| 25 | A. | Langley, Kentucky. | 09:18:43 |

1 Q. And you then enrolled at the 09:18:45

2 University of Kentucky as a student in 09:18:48

3 engineering? 09:18:52

4 A. Yes. 09:18:52

5 Q. And you played basketball under Adolf 09:18:54

6 Rupp for three years, is that right? 09:18:57

7 A. That's correct. 09:18:59

8 Q. Or maybe not quite all of three years. 09:19:00

9 And you and Coach Rupp had a difference of 09:19:03

10 opinion and he booted you off the team in your 09:19:07

11 junior year, correct? 09:19:10

12 A. That's correct. 09:19:11

13 Q. And you then finished out the semester 09:19:12

14 as a student even though you were no longer on 09:19:17

15 the team and then transferred to George 09:19:20

16 Washington in D.C., correct? 09:19:22

17 A. That's correct. 09:19:24

18 Q. And you sat out a year, and then you 09:19:26

19 played your senior year of basketball at GW, 09:19:29

20 correct? 09:19:33

21 A. That's correct. 09:19:33

22 Q. And you had a pretty good career 09:19:33

23 at -- one year at GW? 09:19:36

24 A. Yeah. 09:19:39

25 Q. And after that I know you got into 09:19:40

1 coaching, but what did you do right after 09:19:44

2 leaving GW? 09:19:47

3 A. I was drafted by Denver in the old ABA 09:19:48

4 and San Diego in the NBA, and I chose to try 09:19:57

5 out with Denver, so I went out there in the 09:20:01

6 fall and did not make the team. And then I 09:20:07

7 came back to D.C. and I worked as an engineer 09:20:10

8 for about six months. And then I was offered 09:20:17

9 the assistant freshman basketball coach, 09:20:25

10 assistant basketball coach and assistant 09:20:30

11 baseball coach at GW. 09:20:33

12 Q. Your brother had gone to GW? 09:20:36

13 A. My brother Mike, we went at the same 09:20:40

14 time. He was a senior in high school the year 09:20:47

15 that I left Kentucky, and he decided to go to 09:20:54

16 GW with me. 09:20:58

17 Q. I see. So when you transferred, he 09:21:01

18 thought he would go to GW as well? 09:21:04

19 A. He did. 09:21:06

20 Q. And he also played basketball? 09:21:07

21 A. Yeah. 09:21:10

22 Q. Did you have a third brother who also 09:21:11

23 played basketball at GW? 09:21:13

24 A. I did. 09:21:15

25 Q. What was his name? 09:21:16

1 A. Pat. 09:21:17

2 Q. And you still coach with your brother 09:21:18

3 Pat? 09:21:23

4 A. When -- I was assistant coach when I 09:21:23

5 recruited Pat, and then while he was at the 09:21:31

6 school, I became the head coach, so I 09:21:34

7 was -- his last two years at GW I was the head 09:21:38

8 coach. 09:21:47

9 Q. And I saw something that you and Pat 09:21:47

10 have coached an AAU women's team. 09:21:49

11 A. We did. I helped him. He had a 09:21:54

12 daughter that -- who was a good basketball 09:21:57

13 player and he volunteered to coach AAU girls 09:22:00

14 basketball, and he asked me if I would help 09:22:05

15 him, and I did. 09:22:09

16 Q. I see. But she went through that 09:22:10

17 system and then you quit doing it? 09:22:13

18 A. Yes. It was only for the one spring, 09:22:14

19 or late -- late winter and spring when they 09:22:21

20 played. 09:22:24

21 Q. And so what years were you either an 09:22:25

22 assistant and then head coach at GW? 09:22:27

23 A. Let's see. I started on July 1, 1970, 09:22:32

24 and I was assistant coach -- like I said, I 09:22:40

25 was assistant basketball coach, the freshmen 09:22:43

1 coach, and also assistant baseball coach, and 09:22:47

2 I held that position until 1974. Our head 09:22:49

3 coach had moved to Richmond and so they 09:22:59

4 offered me the job in probably August of 1974, 09:23:03

5 and then I became head coach. 09:23:10

6 Q. Until when? 09:23:11

7 A. Until June 30, 1981. 09:23:12

8 Q. Did you coach after that or did 09:23:17

9 you -- I know you went into the healthcare 09:23:23

10 industry. 09:23:25

11 A. Yeah, I never coached again. I went 09:23:27

12 to work for Blue Cross/Blue Shield of the 09:23:30

13 National Capitol area located in Washington, 09:23:34

14 D.C. 09:23:37

15 Q. And what did you do for Blue 09:23:38

16 Cross/Blue Shield National Capitol area? 09:23:43

17 A. I started as a manager of sales and 09:23:44

18 marketing and went on to become director of 09:23:51

19 sales and marketing. I had a sales force that 09:23:57

20 was responsible for groups from 50 to 500. We 09:24:01

21 tried to sell business for Blue Cross/Blue 09:24:10

22 Shield. 09:24:13

23 Q. So it was group sales? 09:24:13

24 A. Group sales. 09:24:14

25 Q. For health insurance? 09:24:15

1 manager in any of your other careers? 09:29:30
2 A. Photographs? 09:29:34
3 Q. Uh-huh. 09:29:39
4 A. No, sir. 09:29:40
5 Q. Or any -- have you used any of the 09:29:41
6 contacts that you made from your college days 09:29:42
7 to assist you in making sales in your 09:29:45
8 insurance life? 09:29:50
9 A. No. 09:29:58
10 Q. Did your college playing experience 09:29:58
11 assist you in your later business career? 09:30:01
12 A. I don't think I -- in my training? 09:30:03
13 Q. No, just the contacts you made or the 09:30:20
14 skills that you learned. Anything about it 09:30:22
15 assist you in what you did in business, in 09:30:27
16 your business life? 09:30:29
17 MR. CLOBES: Objection to form. 09:30:30
18 You can answer. I'll be objecting 09:30:31
19 occasionally. You can answer unless I tell 09:30:33
20 you not to. 09:30:36
21 THE WITNESS: That's a good 09:30:38
22 question. I think probably the training, 09:30:39
23 being able to react under pressure, working 09:30:45
24 very hard at trying to reach goals. Yes, 09:30:52
25 those things helped me. 09:30:57

1 BY MR. CURTNER: 09:30:57

2 Q. Team work? 09:31:00

3 A. Team work, absolutely. 09:31:00

4 Q. So how did you first become acquainted 09:31:07
5 with Sonny Vaccaro? 09:31:11

6 MR. CLOBES: Objection to form. 09:31:13
7 You can go ahead. 09:31:22

8 THE WITNESS: I knew Sonny. Sonny 09:31:22
9 ran the Roundball Classic in Pittsburgh. It 09:31:24
10 was a all star game after the season, and all 09:31:30
11 college coaches, at least most of the college 09:31:36
12 coaches on the East Coast, went to that game. 09:31:40
13 He had all the best players, and, you know, 09:31:43
14 you were there recruiting. And so I met Sonny 09:31:54
15 there in Pittsburgh is the first time I ever 09:31:56
16 met him when he was running that. I think he 09:31:59
17 called it the Roundball Classic. 09:32:02

18 BY MR. CURTNER: 09:32:02

19 Q. So this was a game or a series of 09:32:05
20 games for high school players who were 09:32:08
21 prospects for college teams, and the college 09:32:11
22 coaches would come to evaluate them, watch 09:32:14
23 them play and maybe try to hustle them a 09:32:17
24 little bit? 09:32:21

25 MR. CLOBES: Objection to form. 09:32:21

1 Q. Now, at some point I think Sonny 09:33:35
2 Vaccaro quit running that Roundball Classic, 09:33:39
3 right, and started working for the shoe 09:33:42
4 companies? Or maybe he did both for awhile. 09:33:45
5 I'm not sure. 09:33:48

6 A. Yeah, I don't know exactly if he kept 09:33:49
7 running the Roundball after he went to work 09:33:53
8 for the shoe companies. I don't know that. 09:33:56

9 Q. When you were the head coach at George 09:33:59
10 Washington, did you ever have a contract with 09:34:02
11 one of the shoe companies through Mr. Vaccaro? 09:34:06

12 A. Yes. 09:34:09

13 Q. And when did that start? 09:34:10

14 A. 1978. 09:34:13

15 Q. And tell me what the arrangement was 09:34:16
16 between you and the shoe company and Mr. 09:34:19
17 Vaccaro in your capacity as the head coach at 09:34:22
18 GW. 09:34:25

19 A. Sonny was with Nike, and they offered 09:34:28
20 me a contract, paying me a certain amount each 09:34:35
21 year if I would ensure that our players, at 09:34:38
22 least eight of them, wore the shoe during the 09:34:45
23 games. And they would give us free shoes. 09:34:50

24 Q. Was that just at the beginning of that 09:34:57
25 kind of method of promoting the shoes? 09:35:00

1 know. 10:02:45

2 Q. Right. 10:02:45

3 A. But we were on TV occasionally. 10:02:46

4 Q. And I take it there was also radio 10:02:49

5 coverage of the games. 10:02:53

6 A. Yes. 10:02:55

7 Q. A lot more people listened to radio 10:02:55

8 for sports in those days than do now? 10:02:57

9 MR. CLOBES: Objection to form. 10:03:01

10 THE WITNESS: Yeah, I'm sure 10:03:02

11 that's probably correct. 10:03:04

12 BY MR. CURTNER: 10:03:04

13 Q. And there was also newspaper coverage 10:03:05

14 of all the games, reporters there, 10:03:07

15 photographers there? 10:03:09

16 A. Yes. 10:03:10

17 Q. And you never objected to being 10:03:12

18 photographed or written about or spoken about 10:03:15

19 on radio or shown on TV, is that right? 10:03:18

20 A. It wouldn't have made any difference 10:03:23

21 if I objected to it or not. A paper can take 10:03:27

22 pictures, a paper can write about you, and 10:03:30

23 they're going to whether you -- you know, I 10:03:33

24 mean, how could a player tell them they can't 10:03:35

25 write a story about -- about yourself? 10:03:37

1 it was a problem. 10:05:57

2 Q. Did you ever discuss with them what 10:05:59

3 they could or couldn't do in that area to 10:06:01

4 promote themselves or take advantage of their 10:06:05

5 name or their photo? 10:06:08

6 A. I can't remember doing that, no. 10:06:14

7 Q. Did you ever tell them anything about 10:06:17

8 what they could do after they graduated to 10:06:19

9 take advantage commercially of their name or 10:06:22

10 their image? 10:06:28

11 A. No. 10:06:31

12 Q. Would it be accurate, sir, that 10:06:33

13 throughout your playing and coaching career it 10:06:35

14 was your understanding that the NCAA rules 10:06:38

15 applied while you had eligibility remaining 10:06:40

16 but that after you completed your eligibility, 10:06:45

17 the rules no longer applied to you? 10:06:47

18 A. That was my understanding. 10:06:50

19 Q. And the rules -- and the NCAA rules 10:06:52

20 didn't restrict you after your eligibility was 10:06:57

21 exhausted? 10:06:59

22 A. Once your eligibility was up, that was 10:07:02

23 it. 10:07:06

24 Q. Has there ever been anything that 10:07:10

25 you've tried to do in your life after 10:07:13

| | | |
|----|---|----------|
| 1 | leaving -- being a student, after your | 10:07:15 |
| 2 | eligibility was exhausted and you played for | 10:07:21 |
| 3 | four years -- it took five years for you to | 10:07:25 |
| 4 | get four years, right? | 10:07:28 |
| 5 | A. Uh-huh. | 10:07:29 |
| 6 | Q. Has there ever been anything you | 10:07:30 |
| 7 | wanted to do in your commercial life, in your | 10:07:32 |
| 8 | business life, to try to make money that | 10:07:35 |
| 9 | some -- that you thought you were restricted | 10:07:37 |
| 10 | from doing because of some NCAA rule? | 10:07:39 |
| 11 | A. No. | 10:07:43 |
| 12 | MR. CLOBES: It's 55 minutes, good | 10:07:55 |
| 13 | time? | 10:07:56 |
| 14 | MR. CURTNER: Good time. | 10:07:57 |
| 15 | MR. CLOBES: Take five? | 10:07:58 |
| 16 | MR. CURTNER: That's fine. | 10:08:00 |
| 17 | THE VIDEOGRAPHER: The time is | 10:08:00 |
| 18 | 10:08 a.m. We're now off the record. | 10:08:02 |
| 19 | (Brief recess). | 10:08:14 |
| 20 | THE VIDEOGRAPHER: The time is | 10:23:57 |
| 21 | 10:24 a.m. We're back on the record. | 10:23:59 |
| 22 | BY MR. CURTNER: | 10:23:59 |
| 23 | Q. So after that first time when | 10:24:02 |
| 24 | Mr. Vaccaro called you and said, I haven't | 10:24:03 |
| 25 | talked to you in many years but I'd like to | 10:24:06 |

1 Q. Did you seek her input or her advice 10:28:12
2 or you just said, I'm thinking about doing 10:28:16
3 this? 10:28:18

4 A. I did not seek her advice. 10:28:18

5 Q. Did you talk to Thad Jaracz about it? 10:28:21

6 A. I did. 10:28:27

7 Q. Did you talk to him about whether or 10:28:27
8 not you should join or about whether he should 10:28:30
9 join or both? 10:28:33

10 A. Didn't really get into that, but we 10:28:35
11 did talk -- we did talk about the case. 10:28:43

12 Q. Tell me what you and he talked about. 10:28:45

13 A. Basically the merits of the case. 10:28:50

14 Q. And what did you understand the merits 10:28:55
15 of the case to mean? 10:28:57

16 A. We felt -- I felt that the ex players 10:29:01
17 deserved some remuneration for their efforts; 10:29:09
18 that without their efforts, there would not be 10:29:15
19 any classic films or whatever. 10:29:20

20 Q. What else do you remember discussing 10:29:25
21 with Mr. Jaracz? 10:29:31

22 A. That's basically it. 10:29:33

23 Q. So let me see if I understand your 10:29:34

24 thinking. You agree with -- that student 10:29:37

25 athletes should be students first, then 10:29:47

| | | |
|----|--|----------|
| 1 | athletes second while they are in school, is | 10:29:49 |
| 2 | that right? | 10:29:54 |
| 3 | MR. CLOBES: Objection to form. | 10:29:54 |
| 4 | THE WITNESS: Yes. | 10:29:58 |
| 5 | BY MR. CURTNER: | 10:29:58 |
| 6 | Q. And you agree that they should not be | 10:30:01 |
| 7 | paid for play while they are in school, | 10:30:03 |
| 8 | correct -- | 10:30:07 |
| 9 | A. Yes. | 10:30:07 |
| 10 | Q. -- or while they still have | 10:30:09 |
| 11 | eligibility? And you agree that while they | 10:30:10 |
| 12 | have eligibility they shouldn't be given | 10:30:20 |
| 13 | promises of future payment for what they are | 10:30:22 |
| 14 | doing while they are playing in school? | 10:30:28 |
| 15 | MR. CLOBES: Objection to form. | 10:30:30 |
| 16 | BY MR. CURTNER: | 10:30:30 |
| 17 | Q. Is that correct? | 10:30:33 |
| 18 | A. Yes. | 10:30:34 |
| 19 | Q. And so you don't think that a college | 10:30:37 |
| 20 | basketball player who happens to be on a team | 10:30:47 |
| 21 | that makes the NCAA tournament and maybe makes | 10:30:52 |
| 22 | it to the finals and loses in a famous game | 10:30:58 |
| 23 | should somehow get some payment at the time | 10:31:01 |
| 24 | they're a student athlete for participating in | 10:31:04 |
| 25 | such an important event, correct? | 10:31:07 |

| | | |
|----|---|----------|
| 1 | or rebroadcast or reshowing or repurposing or | 10:32:48 |
| 2 | reuse that you think maybe should be shared, | 10:32:51 |
| 3 | is that right? | 10:32:56 |
| 4 | A. Yes. | 10:32:56 |
| 5 | Q. And is -- just so we're clear about | 10:32:57 |
| 6 | this, you are not a believer in pay for play | 10:33:03 |
| 7 | of student athletes while they're student | 10:33:07 |
| 8 | athletes? | 10:33:10 |
| 9 | A. No. | 10:33:11 |
| 10 | Q. And you still think that the -- that | 10:33:17 |
| 11 | it's a good thing that they are not employees | 10:33:20 |
| 12 | of the school where they play sports? | 10:33:24 |
| 13 | A. Yes. | 10:33:26 |
| 14 | Q. Have you ever run into Ramogi Huma? | 10:33:27 |
| 15 | A. No. | 10:33:34 |
| 16 | Q. Do you know who he is? | 10:33:35 |
| 17 | A. No. | 10:33:37 |
| 18 | Q. Do you know what the National College | 10:33:38 |
| 19 | Players Association is? | 10:33:40 |
| 20 | A. No. | 10:33:42 |
| 21 | Q. Have you ever read about that | 10:33:48 |
| 22 | organization in the sports press? They | 10:33:49 |
| 23 | submitted some petitions to some schools not | 10:33:53 |
| 24 | too long ago. | 10:33:57 |
| 25 | A. Not aware of it. | 10:33:58 |

1 Q. Is European basketball an alternative 10:35:40
2 career for some folks based on your 10:35:44
3 experience? 10:35:47

4 MR. CLOBES: Objection to form. 10:35:47

5 THE WITNESS: Yes. 10:35:50

6 BY MR. CURTNER: 10:35:50

7 Q. People can now make real money playing 10:35:51
8 abroad, right? 10:35:54

9 A. Yes. 10:35:56

10 Q. When you tried out for the ABA, did 10:36:03
11 you get a contract? 10:36:07

12 A. Yes. 10:36:08

13 Q. So you actually signed a contract with 10:36:10
14 them and maybe got some money before you 10:36:13
15 didn't make the team? 10:36:15

16 A. I signed the contract with them. 10:36:16

17 Q. Do you still have a copy of that? 10:36:22

18 A. No. 10:36:23

19 Q. Do you have any scrapbooks or press 10:36:24
20 clippings or video or still photos or things 10:36:28
21 from your playing days or your coaching days? 10:36:32

22 A. Yes. 10:36:38

23 Q. What kind of a collection do you have? 10:36:40

24 A. Very small. 10:36:43

25 Q. Got some big trophies on the mantel? 10:36:45

1 THE WITNESS: Yes. 11:03:13

2 BY MR. CURTNER: 11:03:13

3 Q. Anything that you can think of that 11:03:15

4 would have restricted you from doing that if 11:03:16

5 you had wanted to and if somebody had asked? 11:03:20

6 A. No. 11:03:23

7 MR. CURTNER: Let's go off the 11:03:36

8 record. I think I'm very close to being done. 11:03:37

9 THE VIDEOGRAPHER: The time is 11:03:41

10 11:03 a.m. We're now off the record. 11:03:42

11 (Brief recess). 11:05:23

12 THE VIDEOGRAPHER: The time is 11:13:18

13 11:13 a.m. We're back on the record. 11:13:20

14 (Off-the-record discussion). 11:13:37

15 BY MR. CURTNER: 11:13:37

16 Q. Mr. Tallent, I want to go back to one 11:13:40

17 topic that we talked about, and that's this 11:13:43

18 question of whether college athletes should be 11:13:46

19 paid to play while they still have 11:13:48

20 eligibility. And I think you said pretty 11:13:52

21 clearly that you didn't think so, correct? 11:13:54

22 A. Yes. 11:13:56

23 Q. And you thought that when you were a 11:13:58

24 player, you thought that when you were a 11:14:00

25 coach, you still think that, correct? 11:14:02

| | | | |
|----|----|--|----------|
| 1 | A. | Yes. | 11:14:03 |
| 2 | Q. | And I gather that when you were a | 11:14:04 |
| 3 | | player, you got a full grant and aid all five | 11:14:07 |
| 4 | | years that you had eligibility, right? | 11:14:11 |
| 5 | A. | Yes. | 11:14:13 |
| 6 | Q. | And you felt at the time that that was | 11:14:13 |
| 7 | | a fair deal? | 11:14:17 |
| 8 | A. | Yes. | 11:14:18 |
| 9 | Q. | And in retrospect, do you think you | 11:14:19 |
| 10 | | got a fair deal? | 11:14:22 |
| 11 | A. | Yes. | 11:14:24 |
| 12 | Q. | You've had a pretty successful life | 11:14:26 |
| 13 | | and career as a result of the education you | 11:14:28 |
| 14 | | got? | 11:14:32 |
| 15 | A. | Yes. | 11:14:33 |
| 16 | Q. | And so you think the athletic grant | 11:14:33 |
| 17 | | and aid has been a successful program from | 11:14:36 |
| 18 | | your point of view? | 11:14:39 |
| 19 | A. | Yes. | 11:14:40 |
| 20 | Q. | And during your years as a coach when | 11:14:41 |
| 21 | | you were recruiting young men to play and were | 11:14:43 |
| 22 | | awarding grants and aid did you think it was a | 11:14:46 |
| 23 | | fair exchange? | 11:14:49 |
| 24 | A. | Yes. | 11:14:50 |
| 25 | Q. | And you had players that took | 11:14:51 |

1 advantage of that situation and what was made 11:14:53
2 available to them and have had successful 11:14:56
3 careers as a result, right? 11:14:58
4 A. Yes. 11:14:59
5 Q. Do you think that those young people 11:15:00
6 were exploited when you were coaching them? 11:15:04
7 A. No. 11:15:08
8 Q. Did you think you were exploited when 11:15:09
9 you were a player, aside from maybe that one 11:15:11
10 time? 11:15:15
11 A. No. 11:15:15
12 Q. And did you think that the definition, 11:15:17
13 the contents of a grant and aid of tuition, 11:15:26
14 room and board, books and for awhile laundry 11:15:29
15 money, was inadequate and should be adjusted? 11:15:33
16 A. No. 11:15:39
17 Q. In your experience, do student 11:15:40
18 athletes who get full grant and aid succeed 11:15:45
19 as -- in their athletic career and graduate? 11:15:54
20 MR. CLOBES: Objection to form. 11:15:57
21 THE WITNESS: Yes. 11:15:59
22 BY MR. CURTNER: 11:15:59
23 Q. In your experience, do they graduate 11:16:00
24 as or more frequently than other students who 11:16:01
25 don't have scholarships? 11:16:05

1 MR. CLOBES: Same objection. 11:16:08

2 THE WITNESS: I can only speak 11:16:10

3 about GW, and the answer is yes. 11:16:17

4 BY MR. CURTNER: 11:16:17

5 Q. And in other words, kids who got a 11:16:22

6 full scholarship are able to stay in school 11:16:25

7 where kids who aren't sometimes have family 11:16:27

8 financial issues and have to drop out, right? 11:16:29

9 A. Could happen. 11:16:34

10 Q. And are you familiar with what student 11:16:35

11 athletes get as part of their grant and aid 11:16:45

12 under the rules currently? 11:16:49

13 A. I haven't read the scholarship, you 11:16:59

14 know, today. 11:17:02

15 Q. Do you get involved in the recruiting 11:17:05

16 of high school athletes or prospects -- 11:17:08

17 A. That's -- 11:17:10

18 Q. -- these days? 11:17:11

19 A. Can't do that. 11:17:12

20 Q. Do you -- I mean, are you active at GW 11:17:14

21 in trying to help GW find players? 11:17:16

22 A. Not find players, but I'm -- you know, 11:17:20

23 I'm a booster. 11:17:23

24 Q. What do you do to help support GW 11:17:24

25 athletics? 11:17:27

1 A. I buy season tickets, I belong to the 11:17:29
2 Colonial Athletic Club. That's about it. 11:17:35

3 Q. So when you were -- I take it that 11:17:51
4 given what you've said, you don't think that 11:17:56
5 at the time a kid is being recruited to a 11:17:58
6 school, a prospect, or at the time that 11:18:00
7 they're getting their scholarship renewed that 11:18:05
8 the school or the coach should be able to 11:18:10
9 promise them that they'll get paid in the 11:18:13
10 future based on what revenue might be derived 11:18:15
11 from resales of any video that gets made while 11:18:18
12 they're a player. 11:18:22

13 MR. CLOBES: Objection to form. 11:18:23

14 THE WITNESS: Yes. 11:18:25

15 BY MR. CURTNER: 11:18:25

16 Q. You agree that they should not be able 11:18:26
17 to get that promise, correct? 11:18:28

18 A. Yes. 11:18:30

19 Q. And from a recruiting point of view as 11:18:32
20 a coach it would make recruiting kind of 11:18:34
21 complicated, wouldn't it, if you had to 11:18:39
22 compete against Georgetown or Texas, who could 11:18:42
23 say, and man, are you going to get a royalty 11:18:46
24 stream from us compared -- don't go to GW 11:18:49
25 because they got no royalty stream? 11:18:52

1 MR. CLOBES: Objection. 11:18:55

2 BY MR. CURTNER: 11:18:55

3 Q. That wouldn't be fair, would it? 11:18:56

4 A. Wouldn't be fair. It wouldn't even be 11:18:58

5 understandable. 11:19:04

6 Q. What do you mean by that? You mean my 11:19:07

7 question is that bad? 11:19:10

8 A. What was -- what was your question? 11:19:12

9 Q. So -- 11:19:18

10 A. I'm sorry. 11:19:19

11 Q. I'm just saying so in the recruiting 11:19:20

12 process you go to a kid's home, you're sitting 11:19:21

13 down with him and his parents and you say, if 11:19:24

14 you come play for me, you know, I'm going to 11:19:26

15 give you a full scholarship, tuition, room and 11:19:28

16 board, books are going to be covered and, you 11:19:31

17 know, we're going to give you great 11:19:34

18 facilities, we're going to give you academic 11:19:36

19 support, we're going to give you training, 11:19:38

20 we're going to make -- you know, and I'm going 11:19:40

21 to make a player out of you, young man, right? 11:19:42

22 Something like that was what you used to do, 11:19:45

23 right? 11:19:47

24 A. Yes. 11:19:48

25 Q. And would you think it would be a good 11:19:48

| | | |
|----|--|----------|
| 1 | idea if in addition to that you could say, and | 11:19:50 |
| 2 | after you graduate you're going to get a | 11:19:53 |
| 3 | royalty check every year depending on how much | 11:19:55 |
| 4 | we sell of the video? | 11:19:57 |
| 5 | A. No. | 11:19:58 |
| 6 | Q. Why not? | 11:19:58 |
| 7 | A. You have no idea. | 11:20:00 |
| 8 | Q. You have -- | 11:20:06 |
| 9 | A. Purely speculation. | 11:20:08 |
| 10 | Q. Would that introduce a financial | 11:20:10 |
| 11 | element to the recruiting process that you | 11:20:12 |
| 12 | think would be unwise? | 11:20:14 |
| 13 | A. Yes. | 11:20:17 |
| 14 | MR. CLOBES: Objection. | 11:20:17 |
| 15 | THE WITNESS: Yes. | 11:20:19 |
| 16 | MR. CURTNER: I think I have no | 11:20:24 |
| 17 | further questions. Do you want to take a | 11:20:26 |
| 18 | break before you step in? You got some, | 11:20:31 |
| 19 | right? | 11:20:33 |
| 20 | (Off-the-record discussion). | 11:20:34 |
| 21 | THE VIDEOGRAPHER: The time is | 11:20:38 |
| 22 | 11:20 a.m. We're now off the record. | 11:20:41 |
| 23 | (Brief recess). | 11:23:09 |
| 24 | THE VIDEOGRAPHER: The time is | 11:29:13 |
| 25 | 11:29 a.m. We're back on the record. | 11:29:15 |

1 EXAMINATION 11:29:15

2 BY MR. BOYLE: 11:29:15

3 Q. Good morning, Mr. Tallent. My name is 11:29:18

4 Pete Boyle. I represent the Collegiate 11:29:20

5 Licensing Company. The Collegiate Licensing 11:29:22

6 Company is sometimes referred to as CLC, so I 11:29:25

7 may use those terms interchangeably. Is that 11:29:27

8 fair? 11:29:30

9 A. Yes. 11:29:30

10 Q. Okay. Since leaving college as a 11:29:31

11 student athlete, can you identify any instance 11:29:34

12 that you're aware of where your name or 11:29:38

13 likeness was used without your permission? 11:29:40

14 A. No. 11:29:45

15 Q. Have you talked to anyone at Kentucky 11:29:47

16 or George Washington about this case? 11:29:52

17 A. No. 11:29:54

18 Q. When you were a coach, did you have 11:29:55

19 any type of coach's show, like a radio 11:30:06

20 broadcast or a cable access program? 11:30:09

21 A. No, I didn't have a coaching show. 11:30:15

22 Q. Did you run any camps on your own? 11:30:22

23 A. Not at GW. 11:30:27

24 Q. At some other time? 11:30:29

25 A. No. I participated -- I ran a camp 11:30:33

1 C E R T I F I C A T E

2

3

4 G E O R G I A:

5 FULTON COUNTY:

6

7

8

9

10

11

12

13

14

15

16

17

I hereby certify that the foregoing deposition was reported, as stated in the caption, and the questions and answers thereto were reduced to the written page under my direction; that the foregoing pages represent a true and correct transcript of the evidence given. I further certify that I am not in any way financially interested in the result of said case.

18

19

20

21

Pursuant to Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

22

23

24

25

I am a Georgia Certified Court Reporter. I am here as an independent contractor for Huseby, Inc.

1 I was contacted by the offices of
2 Huseby, Inc. to provide court
3 reporting services for this deposition.
4 I will not be taking this deposition under
5 any contract that is prohibited by O.C.G.A.
6 15-14-7 (a) or (b).

7 I have no written contract to
8 provide reporting services with any party
9 to the case, any counsel in the case, or
10 any reporter or reporting agency from whom
11 a referral might have been made to cover
12 this deposition. I will charge my usual
13 and customary rates to all parties in the
14 case.

15 This, the 4th day of December, 2011.

16
17
18
19
20
21
22
23
24
25

STEVE S. HUSEBY, CCR-B-1372
My Commission Expires
January 20th, 2015.